

TEXAS STATE BOARD OF PHARMACY (TSBP) JOB VACANCY ANNOUNCEMENT

Job Title:	Staff Attorney	Closing Date:	January 17, 2019 @ 5:00 P.M. CST
State Classification:	3504 – Attorney IV		
Posting Number:	TSBP19-006	Schedule:	Full-time
Reports to:	General Counsel	Division:	Legal
Monthly Salary:	\$6,164 (B25)	Travel:	None
New Hires/Rehires:	60 day waiting period for health coverage	Military Crosswalk: Army – Judge Advocate, Military Judge; Navy - Judge Advocate; Marine Corp - Judge Advocate, Master of Law; Air Force – Judge Advocate, Non-designated Lawyer	

GENERAL POSITION DESCRIPTION

Performs highly complex (senior-level) attorney work and is an integral part of the agency's legal team. Prosecutes cases involving violations of the laws and rules pertaining to the practice of pharmacy at Informal Conferences and, if necessary, at the State Office of Administrative Hearings. Assists in resolution of complaints not resulting in contested case proceedings. Works closely with the agency's General Counsel and Assistant General Counsel in a team environment regarding legal and adjudicative matters. Renders legal advice regarding agency operations and interprets relevant laws and rules.

REPORTING RELATIONSHIPS

Works under limited supervision of the General Counsel, with considerable latitude for the use of initiative and independent judgment within the limits of the agency and division policies and procedures.

ESSENTIAL DUTIES AND RESPONSIBILITIES

- Plans and organizes workload involving prosecution of disciplinary cases.
- Reviews cases referred to the Legal Division for legal sufficiency.
- Drafts Preliminary Notice Letters, Notices of Hearings, Agreed Board Orders, Board Orders, Subpoenas, Warning Letters, and other documents relating to formal and informal disposition of contested cases and administrative proceedings in timely and accurate manner.
- Analyzes complaints received for threshold questions such as jurisdiction, drafts letters to complainants, and otherwise assists in the resolution of complaints.
- Prosecutes violations of law by presenting cases at informal conferences, which gives licensees an opportunity to show compliance with the laws and rules governing the practice of pharmacy and settle cases informally.
- Prepares for and represents Board in enforcement proceedings at the State Office of Administrative Hearings. Conducts oral and written discovery.
- Assists the agency's General Counsel in advising and providing legal opinions to Board and agency staff on legal matters related to licensee disciplinary action.
- Interacts with appropriate local, state and federal prosecutors, legal divisions and enforcement agencies involved in the investigation or prosecution of licensees.
- Interprets and applies applicable federal and state laws.
- Researches legal issues and prepares briefs and memos under the direction of the agency's General Counsel.
- Provides guidance and assigns tasks to the Division's Legal Assistants.
- Complies with all agency personnel policies, including regular attendance.

OTHER DUTIES

Performs related duties as assigned.

KNOWLEDGE, SKILLS & ABILITIES (KSAs)

- Thorough knowledge of the Texas Administrative Procedures Act (APA), rules of evidence, and other administrative laws and procedures
- Ability to write clearly and effectively
- Ability to communicate clearly and effectively
- Ability to deal with professionals under adversarial conditions
- Ability to meet rigid deadlines and pay strict attention to details
- Ability to analyze and solve legal problems, and to recommend courses of action based on interpretation and application of case law, statutes, rules and procedures
- Memory skills
- Thorough knowledge of agency policies and procedures
- Ability to maintain confidentiality
- Ability to maintain effective working relationships with other employees

EDUCATION AND EXPERIENCE REQUIREMENTS

J.D. or L.L.B. degree from an accredited institution is required. High academic achievement is strongly preferred. **Submission of law school transcript is required upon application.** Undergraduate degree in healthcare or related field is desirable. Minimum of two years' experience in administrative law with a preferred focus on healthcare or related laws and procedures or equivalent experience is strongly preferred. Knowledge of the Texas Pharmacy Act, Texas Administrative Procedure Act, State Office of Administrative Hearings rules, Open Meetings Act, and Public Information Act is desirable. As a condition of employment, a criminal background check will be conducted (state and national fingerprint background check). Applicant must be eligible, as determined by the Texas Department of Public Safety, to access criminal history records.

LICENSE REQUIRED:

Must be licensed to practice law by the State Bar of Texas. License must be active and current.

ENVIRONMENT / PHYSICAL CONDITIONS

Normal office environment. Tobacco-free environment. Work involves sitting and operating a personal computer for long periods of time. Work involves reading and reviewing large numbers of documents. Work involves processing information quickly and accurately. Work involves frequent transporting of files between offices. Work involves frequent verbal communications with others, in person and by telephone. Work involves traveling to meetings.

The specific statements shown in each section of this position description are not intended to be all-inclusive. They represent typical elements and criteria necessary to successfully perform the job.

VETERAN'S PREFERENCE

In order to receive a veteran's preference for any position, the following documents must be submitted with the employment application: a copy of the DD-214; a statement of compensation from the Veteran's Administration; or a copy of the DD1300.

HOW TO APPLY

The Texas State Board of Pharmacy (TSBP) accepts applications only for posted vacancies. Applications must be received by 5:00 P.M. CST on the closing date. Application must be submitted with a cover letter that focuses on the applicant's unique qualifications for the position. Application must be completed with all requested information. Incomplete applications will not be considered. **A resume may be submitted as a supplement to the State of Texas application; however a resume submitted in lieu of a State of Texas application will be rejected. A State of Texas application with "see resume" within the summary of experience is considered incomplete and will be rejected.** Applications may be submitted by mail, in person, or email to: Texas State Board of Pharmacy, 333 Guadalupe St. Ste. 3-500, Austin Texas 78701; human.resources@pharmacy.texas.gov

An Equal Employment Opportunity Employer: TSBP does not discriminate on the basis of race, color, religion, sex, national origin, age, disability, or veteran status. A copy of TSBP's EEO Plan Utilization Report is available at http://www.pharmacy.texas.gov/files_pdf/EEO_Utilization_Report_TSBP_Amended.pdf

This job is covered by the Fair Labor Standards Act (FLSA). Employees in jobs covered by FLSA who actually work in excess of 40 hours in a workweek receive time off at a time-and-one-half rate as the primary method of compensation in lieu of cash payment.