



Job Vacancy Announcement

Agency Job Posting #: TSBP 22-030
Work in Texas #: 15441916

Number of Openings: 1
Schedule: Full-Time

Opening Date: July 28, 2022
Closing Date: August 12, 2022

Job Title: Staff Attorney
State Classification: Attorney IV – 3504
FLSA: Exempt
Monthly Salary: \$6,363 (B25)
Team: Legal
Reports to: Assistant General Counsel
Travel: 0%
New Hires & Rehires: 60 day waiting period for health coverage

Flex Schedule Allowance: Position Eligible
Teleworking Status: Position Eligible (Part-Time/Temporary Basis)

Military Crosswalk

Army: 27A
Navy: 250X
Coast Guard: LGL10
Marine: 4402, 4405, 4406, 4407, 4408, 4409, 4410, 4411, 4417
Air Force: 51JX, 92J0

General Description

Performs highly complex (senior-level) attorney work and is an integral part of the agency's Legal team. Evaluates law enforcement, patient, and other requests for data from the Prescription Monitoring Program (PMP) and directs release of the PMP information. Responds to requests for agency records in compliance with the Texas Public Information Act. Reports disciplinary actions to National Practitioner Data Bank and other agencies.

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.

Essential Duties and Responsibilities

- Manages the agency's Law Enforcement Access Portal for production of PMP data requested by law enforcement and/or prosecutorial officials, including reviewing all subpoenas, warrants and other court orders for validity to ensure compliance with the Texas Controlled Substances Act.
- Ensures proper notification of required parties of the release of PMP data in accordance with the law.
- Interacts with appropriate local, state and federal prosecutors, legal divisions and enforcement agencies involved in the investigation or prosecution of PMP users.
- Manages the agency's Patient Access Program for production of PMP data requested by patients, or the patient's parent or legal guardian, in compliance with the Texas Controlled Substances Act.
- Supervises and works closely with the analyst generating and sending the necessary data for the PMP requests.
- Assists the agency's General Counsel with other PMP-related legal issues, including interactions with users of PMP data.
- Assists the agency's General Counsel in advising and providing legal opinions to Board and agency staff on legal matters.
- Supervises responses to requests under the Texas Public Information Act and drafts responses to requests under the Texas Public Information Act. Assists with verbal requests for information available under the Texas Public Information Act.
- Responsible for submission of information to the National Practitioner Data Bank (NPDB) according to established laws and guidelines of NPDB.
- 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 agency support staff.
- Complies with all agency personnel policies, including regular attendance.
- Performs related duties as assigned.

Knowledge, Skills, and Abilities:

- Thorough knowledge of the Texas Administrative Procedures Act (APA), Texas Public Information Act (PIA), rules of procedure/criminal procedure, 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.** Minimum of two years' experience in criminal and/or administrative law with a preferred focus on healthcare or other program related laws and procedures or equivalent experience is strongly preferred. Knowledge of the Texas Public Information Act, Texas Controlled Substances Act, Texas Pharmacy Act, Texas Administrative Procedure Act, State Office of Administrative Hearings rules, and Texas Open Meetings Act is desirable.

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.

Conditions of Employment:

Applicants must be eligible, as determined by the Texas Department of Public Safety, to access criminal history records. Must pass state and/or national fingerprint identification checks. Upon employment, must be able to pass the required online CJIS class regarding the security of criminal records.

Employment Eligibility / E-Verify

In compliance with federal law, all persons hired will be required to verify identity and eligibility to work in the United States and to complete the required employment eligibility verification form (Form I-9) upon hire. TSBP participates in E-Verify and will provide the Federal Government with your Form I-9 information to confirm that you are authorized to work in the U.S. TSBP is unable to sponsor employment visas.

Selective Service Requirement

In accordance with Texas Government Code, Sec. 651.005, all males who are 18 to 25 years of age must present proof of registration with Selective Service or exemption from registration upon hire.

How to Apply

Applicants must submit a completed State of Texas Application with all requested information. Incomplete applications will not be considered. A resume may be submitted to supplement the State of Texas Application; however, a resume submitted in lieu of the application will be rejected. Additionally, an application with "see resume" within the summary of experience is considered incomplete and will be rejected.

All applicants must also submit a cover letter that focuses on the applicant's unique qualifications for the position to be considered for the position.

The Texas State Board of Pharmacy (TSBP) accepts the State of Texas applications only for posted vacancies. Applications must be received by 11:59 P.M. CST on the closing date.

Applicants may submit their State of Texas application directly to TSBP using the following methods or online at WorkInTexas. Note that any supplemental items (such as cover letters and resumes) must be sent directly to TSBP by using the methods below:

Texas State Board of Pharmacy
333 Guadalupe St. Ste. 3-500
Austin Texas 78701
human.resources@pharmacy.texas.gov

Veteran's Preference

In order to receive a veteran's preference for any position, one of 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.

The Texas State Board of Pharmacy (TSBP) is an Equal Opportunity/Affirmative Action/ADA Employer and Smoke Free Agency. The TSBP's employment positions are covered by the Fair Labor Standards Act (FLSA). 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