

**TEXAS MEDICAL BOARD  
STATE JOB VACANCY NOTICE  
Internal/External**

**Job Posting:** 19-503-20  
**Monthly Salary:** \$4833.33

**Opening Date:** December 11, 2018  
**Closing Date:** December 27, 2018

**No. of Openings:** 2  
**Type of Employment:** Full-Time

**WIT#** 5388073  
**Job Title:** Staff Attorney  
**Classification** Attorney I (With a performance based career ladder opportunities to an Attorney II and an Attorney III)  
**Class Number:** 3501  
**Salary Group:** B20  
**FLSA Status:** Exempt

**Location:** Austin

**How to Apply:** All applications for employment with the Texas Medical Board must be submitted electronically by 5:00 p.m. central time on the job closing date through [www.WorkInTexas.com](http://www.WorkInTexas.com). PAPER, FAX OR E-MAIL APPLICATIONS WILL NOT BE ACCEPTED.

**Agency:** Texas Medical Board  
333 Guadalupe, Tower 3, Suite 610  
Austin, TX 78768-2018  
[www.tmb.state.tx.us](http://www.tmb.state.tx.us)

**NOTE:** A criminal history check will be conducted on the primary candidate recommended for the position. Applicant will be required to furnish birth date and possibly SSN for this purpose. Resumes will not be accepted without completed signed State of Texas applications. A letter of interest, a writing sample, and law school transcripts must also be submitted to be considered for these vacancies. The documents are to be e-mailed to the Human Resources Department at [Human.Resources@tmb.state.tx.us](mailto:Human.Resources@tmb.state.tx.us). If you are selected, you will be called for an interview. Only applicants who are interviewed will receive written notification of application results.

Applicable Military Occupational Specialty (MOS) codes are included, but not limited to the following: 27D, LN, 2960, 27, 5J0X1, 44, 5J, SN, YN, 360, 0100, 0111, 3A1X1, 641X, 3A 01, Additional Military Crosswalk information can be accessed at: [http://www.hr.sao.state.tx.us/Compensation/MilitaryCrosswalk/MOSC\\_Legal.pdf](http://www.hr.sao.state.tx.us/Compensation/MilitaryCrosswalk/MOSC_Legal.pdf)

**Agency Information**

We have over 200 employees across the state of Texas. We are a collaborative and team environment work culture that values an environment of trust and accountability as we work towards our Board's mission to protect and enhance the public's health, safety, and welfare by establishing and maintaining standards of excellence used in regulating the practice of medicine and ensuring quality health care for the citizens of Texas through licensure, discipline, and education.

We value employee work-life balance and provide our team incentives that include telework, flexed and compressed work schedules, wellness leave incentive, health and retirement programs, 401K, vacation and sick leave paid, holiday pay, and other various benefits.

**General Description**

Performs legal work in the prosecution of enforcement cases at Informal Settlement Conferences (ISC), including cases for Acupuncturists, Medical Radiation Technologists, Non-Certified Technicians, Respiratory Care Practitioners, Surgical Assistants, Perfusionists and Medical Physicists. May be assigned administrative cases for physicians and physician assistants, including licensees disciplined by the military or another state. Develops prosecution strategy, and negotiates agreed settlement orders. Responsible for litigation of licensees' disciplinary cases at the State Office of Administrative Hearings (SOAH). Work involves litigation practice with moderate legal writing. Knowledge of basic medical terminology is helpful. Work under general direction from the Manager of Litigation and the Supervising Attorney, with some latitude for the use of initiative and independent judgment.

**Principal Duties and Responsibilities**

80% Prosecutes enforcement cases at ISC involving licensees of the agency. ISC prosecution includes review of electronic files and preparation of presentation packets for use at hearings and the drafting and negotiation of agreed orders and remedial plans. Coordinates with legal assistants, nurse investigators, and other agency staff as needed to prepare documents exhibits and evidence for case prosecution and effective and efficient manner. Work with other professionals regarding medical issues and practice. Reviews and approves all work prepared by support staff. Negotiates and drafts agreed orders that accurately reflect the decision of ISC panelists and clearly describes any limitations on practice responsibilities and actions required of the licensee.

10% For Medical Radiation Technologists, Non-Certified Technicians, Respiratory Care Practitioners, Surgical Assistants, Perfusionists and Medical Physicists and administrative cases for physicians and physician assistants, including licensees disciplined by the military or another state, prosecutes contested cases at SOAH involving licensees of the agency. Drafts and files pleadings and other documentation or correspondence related to contested case proceedings at SOAH to include formal Complaints/Petitions, pre-trial motions, case briefs, closing arguments, and Board orders. Represent the agency in all phases of contested case prosecution, including motions and pre-trial hearings. Oversees case development including conducting all phases of discovery and depositions of witnesses including experts. Perform

legal research. Develop settlement options based on progress of case. Represent board at mediation. Finalize Agreed Order and agency documentation for consideration by Board within agency time-schedules.

5% Represent agency as prosecutor at Temporary Suspensions/Restrictions Hearings. Prepares Order of Temporary Suspension/Restriction.

5% Attend court hearings and Board meetings as requested. Perform other legal duties as directed/assigned.

### **Experience and Education**

Graduation from an accredited law school with an L.L.B. or J.D. degree

Licensed in good standing to practice law in Texas

Litigation experience preferred. Litigation experience may come from internships, trial advocacy or moot court experience.

Litigation experience in administrative, regulatory or health law, or prosecutorial experience preferred

### **Knowledge, Skills, and Abilities**

Knowledge of legal principles and practices of law related to the licensing and regulation of professional licensees

Knowledge of applicable law and board rules regarding licensees of the agency

Knowledge of legal principles and practices of law related to development of cases for litigation and prosecution

Knowledge of Administrative Practice Act and Texas Rules of Civil Procedure

Ability to interpret and apply laws and to use legal reference materials

Ability to conduct hearings, to prepare for trial, to conduct research, to summarize findings,

Ability to conduct research and prepare cases

Ability to communicate effectively both orally and in writing

Ability to effectively manage multiple duties, set and meet deadlines

Ability to train and provide guidance to others

Ability to work effectively in a team environment

Required to be proficient in Word, Excel, database technology and Microsoft Outlook

Strong oral and written communication skills.

### **Physical Requirements And/Or Working Conditions**

The principal job functions are performed in a standard office environment and require :

Regular and punctual attendance

Frequent use of personal computer, copiers, printers, and telephones

Frequent sitting

Frequently working under deadlines, as a team member, and in direct contact with others

Compliance with all agency policies, procedures, including but not limited to applicable confidentiality, security, and safety rules, regulations, and standards

If hired must provide document(s) within three days of hire date that establishes identity and employment eligibility

With satisfactory six month evaluation eligible for telecommuting per current agency policy.

### **EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER**

The Texas Medical Board does not discriminate on the basis of race, color, national origin, sex, age, religion, disability or veteran status.

Employment opportunities shall not be denied a qualified individual with a disability that requires a reasonable accommodation. The applicant should communicate requests for reasonable accommodations by calling (512) 305-7146.

**Selective Service Requirement:** If selected for employment, male applicants age 18 through 25 must present proof of registration or exemption with the federal Selective Service System.