

# Industry Guidance Branch Attorney

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## About the Office

The Office of Inspector General (OIG) supports the mission of the Department of Health & Human Services (HHS) in protecting the health of Americans and providing essential human services. The OIG is comprised of dedicated professionals promoting the economy, efficiency, and effectiveness of HHS programs such as Medicare, Medicaid, and Head Start. OIG evaluates these programs for success and addresses any fraud, waste, or abuse. OIG has about 1,600 employees, including about 500 law enforcement officers, throughout the U.S. The Office of Counsel to the Inspector General (OCIG), with more than 120 attorneys and staff, provides all legal services for OIG. The office is divided into six branches: Administrative and Civil Remedies, Affirmative Litigation, Advice, Industry Guidance, Exclusions, and Mission Support.

## Job Description

The Industry Guidance Branch (IGB) drafts regulations, advisory opinions, and guidance documents that address the application of certain OIG authorities to cutting-edge health care transactions and financial arrangements. OCIG is seeking one attorney to serve in IGB. The position will be either Associate Counsel (GS-12/13) or Senior Counsel (GS-14), depending on the attorney's level of experience. The duties of the position will include:

- Reviewing and analyzing advisory opinion requests and drafting advisory opinions.
- Drafting safe harbor regulations, compliance program guidance, special fraud alerts, and special advisory bulletins.
- Developing and promoting OIG policies and guidance regarding the Federal anti-kickback statute.
- Advising OIG staff and other government officials on the application of the Federal fraud and abuse laws.
- Responding to questions and issues from industry representatives regarding compliance with the Federal fraud and abuse laws.

The attorney may also be called upon to perform other duties, including assisting with the investigation and litigation of cases involving allegations of false claims, kickbacks, and violations of the physician self-referral law.

Candidates for the position must have at least 2 years of legal experience. Each candidate must demonstrate excellent written and oral communication skills, as well as the ability to analyze complex and novel legal questions. Health law experience and familiarity with the Federal anti-kickback statute and other Federal fraud and abuse laws are a plus. Knowledge and experience litigating criminal, civil, or administrative cases, including cases involving OIG's administrative sanction authorities, also will be considered.

Applicants must be graduates of a full course of study in a school of law accredited by the American Bar Association and be a member in good standing of the bar of a state or territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico. Applicants must be U.S. citizens. This is an excepted service position.

Interested candidates should send a resume, cover letter, and writing sample in a single pdf file to IGB.Resumes@oig.hhs.gov.

## **Application Deadline**

This announcement will be open until 11:59 p.m. eastern standard time on **August 5, 2022**. Applications must be submitted by that time in order to be considered.

## **Salary**

This position is being advertised at the GS-12-14 level. All attorney positions within OCIG have promotional potential to the GS-15 level.

## **Travel**

Occasional travel may be required.

## **Location/Relocation expenses**

Location negotiable. Your position may be eligible for workplace flexibilities that may include remote work or telework options, and/or flexible work scheduling. These flexibilities may be requested in accordance with agency policy. Relocation expenses will not be paid.

## **OIG Employment Policies**

For male applicants born after December 31, 1959, the applicant must have registered with Selective Service.

The applicant must submit to and pass a background investigation.

OIG is an Equal Opportunity/Reasonable Accommodation Employer. Except where otherwise provided by law, there will be no discrimination based on color, race, religion, national origin, politics, marital status, disability (physical or mental), age, sex, gender identity, sexual orientation, genetic information, status as a parent, membership or non-membership in an employee organization, on the basis of personal favoritism, or any non-merit factor. OIG welcomes and encourages applications from persons with disabilities. OIG is firmly committed to satisfying its affirmative obligations under the Rehabilitation Act of 1973, to ensure that persons with disabilities have every opportunity to be hired and advanced on the basis of merit. This agency provides reasonable accommodation to applicants with disabilities where appropriate. If you need a reasonable accommodation for any part of the application and hiring

process, please notify the agency. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

There is no formal rating system for applying veterans' preference to attorney appointments in the excepted service; however, OIG considers veterans' preference eligibility as a positive factor in attorney hiring. Applicants eligible for veterans' preference must indicate their preference in their cover letter or resume and they must submit supporting documentation (e.g., DD 214, Certificate of Release or Discharge from Active Duty and other supporting documentation) which verifies their eligibility for preference. Although the "point" system is not used, per se, applicants eligible to claim 10-point preference must submit Standard Form (SF) 15, Application for 10-Point Veteran Preference, and submit the supporting documentation required for the specific type of preference claimed (visit the OPM website, [http://www.opm.gov/forms/pdf\\_fill/sf15.pdf](http://www.opm.gov/forms/pdf_fill/sf15.pdf) for a copy of SF 15, which lists the types of 10-point preferences and the required supporting document(s)). Applicants should note that SF 15 requires supporting documentation associated with service-connected disabilities or receipt of non-service-connected disability pensions to be dated 1991 or later except in the case of service members submitting official statements or retirement orders from a branch of the Armed Forces showing that his or her retirement was due to a permanent service-connected disability or that he/she was transferred to the permanent disability retired list (the statement or retirement orders must indicate that the disability is 10% or more).