

Associate Counsel for Exclusions (Washington, DC)

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Counsel to the Inspector General

Open & Closing Dates

08/25/2021 to 08/31/2021

Service

Excepted

Pay Scale & Grade

GS 11 - 12

Salary

\$72,750 to \$113,362 per year

The salary range reflects Washington, D.C., locality pay. Upon selection, the salary will be adjusted for the specific location.

Appointment Type

Permanent

Promotion Potential

GS 15

Work Schedule

Full-Time

Duty Location

Location Negotiable After Selection, United States

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. OIG's 1,600 dedicated professionals promote the economy, efficiency, and effectiveness of HHS programs such as Medicare, Medicaid and Head Start. The integrity of these programs is evaluated for success, and any fraud, waste or abuse is addressed by OIG.

With a staff of more than 90 professionals, the Office of Counsel to the Inspector General (OCIG) provides all legal services for OIG. OCIG attorneys generally work independently as well as in collaboration with other OIG attorneys, criminal investigators and Federal, State, and local partners from around the country to protect HHS programs and beneficiaries.

Job Description

This position serves as Associate Counsel in the Exclusions Branch, OCIG, OIG, HHS. The Associate Counsel will be responsible for conducting legal analysis of and advising on all aspects of mandatory and permissive exclusion actions under the authority of sections 1128 and 1156 of the Social Security Act. In addition, the Associate Counsel will manage other responsibilities to support this administrative sanction, which may include the following:

- Advise Reviewing Official(s) on appropriate term of exclusion after reviewing relevant factors and case law;
- Conduct legal review to determine if the OIG has a valid basis for exclusion;
- Compile and maintain case file of supporting documentation for exclusion actions;
- Review and respond to requests for waivers and reinstatements;
- Draft administrative letters providing notice of exclusion actions;
- Provide timely and effective legal support to other OIG and Department of Justice attorneys defending exclusion appeals before Article III and administrative law judges;
- Provide accurate and timely updates to published list of excluded individuals and entities;
- Conduct outreach to Federal and State partner agencies to promote referrals for exclusion; and
- Conduct internet searches and environmental scanning to locate individuals who might be excludable whose convictions have not been referred to the OIG by other methods.

This is a career position in the excepted service. This position includes full federal employment benefits.

Please see OIG's web site for more information:

<https://oig.hhs.gov/about-oig/careers/ocig.asp#openings>

Qualifications

At the GS-11 grade level, applicants are not required to have any professional legal experience post bar admission. At the GS-12 grade level, applicants must have one year of professional legal experience post bar admission. In addition to the minimum qualifications above highly qualified applicants will have a minimum of two years-experience investigating and analyzing complaints of fraud in Medicare or other Federal health care programs. Applicants should also demonstrate experience drafting administrative action letters. Applicants who have experience working with State Medicare Fraud Control Units and licensing boards are preferred.

Education

Applicants must possess a JD degree from a law school accredited by the American Bar Association and be an active member of the bar (in any U.S. jurisdiction).

Travel

Occasional travel may be required.

Location/Relocation expenses

Relocation expenses will not be reimbursed

Telework Eligible

Yes as determined by agency policy.

Application Process

Interested candidates should send a résumé and all other required documents indicated below to Exclusions.Resumes@oig.hhs.gov. Please Note: A writing sample will be requested of individuals identified as best qualified to be forwarded to the selecting official along with your application package upon referral.

Application Deadline

This announcement will be open until 11:59 p.m. on 08/31/2021. Applications must be submitted by that time in order to be considered.

Required Documents

To apply for this position you must provide a complete application package that includes all of the following required documents:

- Your résumé.
- A writing sample, not to exceed 10 pages.
- Proof of current and active bar association membership.
- Photocopy of law school transcripts.
- Current SF-50 (if external government employee).

Education qualifications for this position must be accredited by an accrediting institution recognized by the U.S. Department of Education in order for it to be credited towards qualifications. A link to the Department of Education Database of Postsecondary Educational Institution follows:

<https://ope.ed.gov/dapip/#/home>

Additional Information

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

This is a Critical Sensitive Position, and the successful applicant must submit to and pass a background investigation.

Applicants must be U.S. citizens.

Fair & Transparent

OIG is an Equal Opportunity 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, 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.

https://www.eeoc.gov/federal/fed_employees/index.cfm

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 résumé 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. Additional information can be found at the following links.

<https://www.usajobs.gov/Help/working-in-government/unique-hiring-paths/veterans/>

<https://www.fedshirevets.gov/job-seekers/veterans-preference/>