

## STATE OF SOUTH DAKOTA CLASS SPECIFICATION

**Class Title: Investigator**

**Class Code: 11252**

**Pay Grade: GH**

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### **A. Purpose:**

Investigates complaints to find remedies to human rights violations; investigates cases to ensure applicants obtain welfare benefits legitimately; investigates claims for crime victims' compensation to determine if fraud occurred or to verify losses; or recovers funds expended on attorneys' tort case fees, foster care fees, prescription drug claims, or Medicaid overpayments to maximize recovery of funds due the state.

### **B. Distinguishing Feature:**

The Investigator conducts investigations of alleged fraud and human rights violations and prepares comprehensive case files including investigative reports and evidence for administrative action including hearings and restitution, or for criminal prosecution

The Investigator Supervisor supervises staff, evaluates alleged fraud cases, interprets federal and state laws and regulations regarding welfare fraud, and is responsible for the delivery of fraud investigation services statewide.

### **C. Functions:**

*(These are examples only; any one position may not include all of the listed examples nor do the listed examples include all functions which may be found in positions of this class.)*

1. Investigates complaints to find remedies to human rights violations.
  - a. Contacts and interviews witnesses.
  - b. Requests and reviews documentation.
  - c. Conducts fact-finding interviews with claimants.
  - d. Analyzes gathered information.
  - e. Prepares decisions of probable or no probable cause.
  - f. Conducts compliance reviews to determine if parties are complying with terms of conciliation agreements and negotiated settlements.
  - g. Educates the public concerning compliance with South Dakota Human Relations Act of 1972, Title VII of the Civil Rights Act of 1964.
  - h. Drafts charges of discrimination.
2. Investigates fraud and claims for crime victims' compensation to determine if fraud occurred or to verify losses.
  - a. Investigates cases by interviewing witnesses, conducting surveillance, obtaining and documenting evidence, obtaining statements from suspects, analyzing information, and preparing written reports on findings.
  - b. Prepares evidence and documentation for disputed cases and testifies at administrative, referee, and court hearings.
  - c. Establishes and maintains case files.
  - d. Testifies in court or at hearings on findings.
  - e. Responds to requests from caseworkers for fraud prevention investigations on new applicants or recertification applicants.
  - f. Provides assistance to federal agencies on welfare fraud investigations outside of state jurisdiction.

3. Recovers and prevents Medicaid overpayments resulting from misbilling, abuse, or fraudulent billings by medical providers, program abuse by recipients, and incorrect processing of claims to maximize recovery of funds due the state.
  - a. Analyzes and interprets guidelines and regulations to ensure payments made by Medicaid are compliant.
  - b. Proposes regulation changes and recommends office policies and guidelines to enforce and implement regulations.
  - c. Analyzes medical data to identify patterns of irregularities in the provision or utilization of health services.
  - d. Identifies and develops system edits and office procedures to ascertain correct payments to physicians, hospitals, pharmacies, and other medical providers.
  - e. Recovers overpayments and notifies and educates medical providers on correct billing procedures.
  - f. Establishes parameters on medical data elements for computer-generated reports to identify Medicaid providers and individuals deviating from standard norms.
  - g. Compiles data and conducts analyses of coding practices to assist in investigations.
4. Recovers state and Medicaid funds expended on attorneys' tort case fees, foster care fees, prescription drug claims, and in the Medicaid drug rebate program to maximize recovery of funds due the state.
  - a. Negotiates with attorneys the fee the state will pay the attorney to recover the Medicaid expended in Medicaid recipients' tort cases.
  - b. Performs follow-up with attorneys to ensure that Medicaid reimbursements are obtained.
  - c. Reviews foster care cases and determines financial responsibility.
  - d. Establishes fees to be charged and collects fees.
  - e. Reviews drug claims paid by the Medicaid program and investigates cases to determine if recipients have private health insurance.
  - f. Collects Medicaid funds expended on prescription drug claims from health insurance companies.
  - g. Reviews utilization data and resolves disputes with drug manufacturers.
  - h. Negotiates with drug manufacturers to reach settlements.
5. Performs other work as assigned.

**D. Reporting Relationships:**

Typically no subordinates report to this position.

**E. Challenges and Problems:**

Recoveries Investigators are challenged to deal with individuals intent upon defrauding the state. This is difficult because individuals may have criminal histories and may pose a potential threat to the incumbent. Problems include gathering evidence from reluctant or hostile witnesses; presenting evidence in court or in hearings subject to cross examination by attorneys; and determining whether enough evidence has been documented to verify fraud.

Claims Investigators are challenged to determine eligibility for compensation benefits. This is difficult because the incumbent must work with distraught victims or family members of victims. Problems include discrepancies in statements made by victims versus witnesses and whether injuries were caused by the crime.

Human Rights Investigators are challenged to obtain information from parties involved in disputes, to determine what information is factual, and to determine the proper course of action.

This is difficult because these decisions may have a substantial impact on either party. Most of the charges involve the employment setting and difficulties can be encountered when individuals lose their jobs, become victims of harassment, are not hired, or get suspended due to discrimination. Investigators also deal with discrimination in the areas of labor union membership and services, housing accommodations, education, public accommodations, public services, and property rights. Human Rights Investigators are also challenged to negotiate with attorneys in gathering information, resolving disputes, and reviewing compliance.

Medicaid Investigators are challenged to negotiate with attorneys and drug manufacturers to maximize recovery of funds, or to confront medical providers on incorrect billing procedures.

#### **F. Decision-making Authority:**

Recoveries Investigators determine when surveillance is necessary to obtain evidence, when to request a subpoena for evidence, when and where to interview witnesses and suspects, when to end an investigation, and how to aid victims in claims compensation through investigations.

Human Rights Investigators determine who to interview, what questions to ask, and whether an on-site investigation is required; they formulate a final decision as to probable cause and determine the remedy.

Medicaid Investigators determine the amount that will be paid to an attorney, fees to be charged for foster care and determination of the responsible party, whether to establish a case, and resolutions to disputes through negotiation and agreement.

Decisions referred include decisions on cases involving unusual circumstances, conflicts with policies and procedures, conflicts with other program staff, requests for work adjustments, and final decisions on whether criminal or administrative action should be taken.

#### **G. Contact with Others:**

Daily contact with medical providers concerning Medicaid reviews, with attorneys and insurance companies to perform follow-up on cases, and with clients and witnesses to determine if there are any fraud or human rights violations; weekly contact with other state, local, and federal agencies regarding clients and investigations; and regular contact with law enforcement agencies and attorneys to check on fraud investigations.

#### **H. Working Conditions:**

Typical office environment.

## **I. Knowledge, Skills and Abilities:**

Knowledge of:

- criminal investigations;
- interviewing techniques;
- state and federal civil rights laws;
- social service programs;
- relevant policies, procedures, and laws;
- rules of evidence.

Ability to:

- work with a wide range of individuals tactfully;
- objectively analyze conflicting allegation, testimony, and documents;
- testify at hearings;
- exercise judgement and discretion in applying and interpreting laws, regulations, and policies;
- communicate information clearly and concisely;
- draw conclusions based on facts or evidence;
- use an automated computer system.