

## TEXAS BOARD OF NURSING

Position Description

June 2015

- I. TITLE: Investigator V - Lead Investigator (1354) (B20)
- II. DEFINITION: Conducts complex investigations of alleged violations of the laws, rules and regulations pertaining to advanced practice, professional and vocational nursing, primarily focusing on nursing practice issues, and assists in the management of investigative activities.

III. QUALIFICATIONS:

A. Personal Characteristics

1. High degree of professional integrity
2. Appropriate manner and conduct
3. Good judgment
4. Honesty
5. Initiative
6. Objective Attitude
7. Flexibility

B. Education

Associate Degree in Nursing or Bachelor's Degree in Criminal Justice (or related field) from an accredited or approved program required. Three years in nursing or criminal justice experience or specialized training in related area. If a nurse, must possess and maintain a current license to practice professional nursing in the State of Texas.

C. Knowledge, Skills and Abilities

1. Ability to write and speak effectively.
2. Knowledge of investigative methods and process.
3. Knowledge of state statutes and rules governing the practice of professional and vocational nursing in the State of Texas.
4. Knowledge of the Administrative Procedures and Texas Register Act.
5. Skill in objectively presenting evidence and testimony at informal conferences and formal disciplinary hearings.
7. Ability to apply Board policies and procedures.
8. Skill in providing instruction to other department staff.
9. Skill in computer word processing

IV. RESPONSIBILITIES:

Directly responsible to the Supervising Investigator. The Lead Investigator performs complex or unusual investigations; accomplishes the functions outlined in Section V; carries out specific program activities as assigned; and assists the Director of Enforcement and Supervising Investigator in the training and supervision of other investigative staff.

V. FUNCTIONS:

- A. Conducts investigation of licensees' and imposters' alleged violations of the rules and regulations pertaining to advanced practice, professional and vocational nursing:
  - 1. Analyzes assigned complaints to develop and implement investigative plan within accepted time frames.
  - 2. Prepares notices of alleged violations to nurses under investigation.
  - 3. Prepares subpoenas and obtain allegation specific relevant records.
  - 4. Identifies witnesses and obtain statements through affidavits/interviews.
  - 5. Conducts on-site investigations, as necessary, to interview witnesses and identify additional documentary evidence.
  - 6. Documents investigative activities, including all contacts with outside parties.
  - 7. Prepares investigative case reports which include alleged violations, relevant evidence, and responses/explanations.
  - 8. Recommends appropriate case disposition to the Supervising Investigator/Director of Enforcement which are consistent with adopted Board guidelines and disciplinary matrix.
  - 9. *Prepare TERCAP evaluations for submission to NCSBN.*
  
- B. Facilitates timely case resolution according to established guidelines.
  - 1. Ensures that Agreed Orders and Formal Charges are accurately drafted, routed and mailed in a timely manner according to established processes.
  - 2. Ensures that documentary evidence and witness testimony are prepared for presentation at informal settlement conferences and formal disciplinary hearings, as applicable.
  - 3. Testifies at formal disciplinary hearings and participates in depositions, as applicable.
  
- C. Assists the Director of Enforcement and Supervising Investigator.
  - 1. Act as Team Leader for investigative staff in the Supervisor's absence.
  - 2. Assists in the training of new investigative staff. *Acts as mentor/preceptor in providing hands on training to new investigators.*
  - 3. Review Agreed Orders and Formal Charges as part of the routing process.
  - 4. Assist in Performance Evaluations of investigators.
  - 5. Identify and recommend revisions in departmental policies and procedures.
  - 6. Serve as a resource specialist to other Board staff.
  - 7. Any other duties as assigned.

- D. Assists in the education of the public, employers and nurses.
  - 1. Adheres to agency Customer Service Standards when responding to inquiries regarding the NPA and Board Rules, policies and procedures.
  - 2. Maintains courteous, effective communication with co-workers and supervisors to promote teamwork in accomplishing departmental and agency functions.
  - 3. Assists new Board staff in learning the investigative process.
  - 4. Recommend and write articles for the Board's newsletter regarding enforcement issues.
  - 5. Refers questions regarding licensing, education or nursing practice to appropriate Board staff.

VI. CONDITIONS OF EMPLOYMENT

- A. Refer to personnel policies for other conditions of employment.
- B. Up to 25% travel.
- C. This position is non-exempt from the Fair Labors Standards Act (FLSA).