

OVERVIEW

Job Title: Supervisory Attorney-Advisor (Chief, Industry Guidance Branch)

Department: Department of Health and Human Services

Agency: Office of Inspector General

Hiring Organization: Office of Counsel to the Inspector General

Open & Closing Dates: Thursday, November 16 – Wednesday, November 29

Salary: \$155,700 to 183,500 Per Year (salary will be adjusted based on duty location)

Pay Scale & Grade: GS-15

Locations:

1 vacancy in the following location: Location Negotiable – Position will be located at HHS OIG Headquarters, at an HHS OIG Field or Regional Office, or at a remote location.

Remote Job: Possibly

Telework Eligible: Yes

Travel Required: 25% or less - You may be expected to travel for this position. For any attorneys not located in HHS OIG Headquarters, you will be expected to travel to HHS OIG Headquarters at least quarterly (i.e., at least four times per year).

Relocation Expenses Reimbursed: No

Appointment Type: Permanent

Work Schedule: Full-time

Service: Excepted

Promotion Potential: 15

Job Family (Series): 0905 - Attorney

Supervisory Status: Yes

Security Clearance: Not Required

Drug Test: No

Position Sensitivity And Risk: Public-Trust (High Risk)

Trust Determination Process: Credentialing, Suitability/Fitness

SUMMARY

This position is located in the Department of Health and Human Services, Office of Inspector General, Office of Counsel to the Inspector General.

THIS JOB IS OPEN TO

Hiring Paths: Current HHS OIG employees only

DUTIES

The Industry Guidance Branch (IGB) is responsible for providing legal services to OIG relating to: (1) the issuance of advisory opinions to the public under sections 1128, 1128A, and 1128B of the Social Security Act; (2) the development of the Federal anti-kickback statute's "safe harbor" regulations and regulations creating exceptions to the definition of "remuneration" under the civil monetary penalty provision prohibiting inducements to beneficiaries; (3) consultations with the Department of Justice and OCIG's Administrative and Civil Remedies Branch regarding potential violations of the Federal anti-kickback statute and the civil monetary penalty provision prohibiting inducements to beneficiaries; (4) guidance to OIG's Congressional Affairs office regarding proposed and actual legislation and responses to requests from the U.S. Congress; (5) fraud and abuse waivers issued in connection with various Center for Medicare and Medicaid Innovation models; and (6) the issuance of Fraud Alerts and other forms of guidance to the public.

The major duties and responsibilities of the Chief of IGB include:

- In association with the Chief Counsel and Assistant Inspector General for Legal Affairs, acting as adviser on all matters referred to above to the Inspector General and her principal officials.
- Advising staff and evaluating the technical accuracy, completeness and legal sufficiency of advisory opinions, other guidance, and regulations released to the public regarding the Federal anti-kickback statute and the civil monetary penalty provision prohibiting inducements to beneficiaries. Analyzing the background of the more difficult and extremely complex issues arising from advisory opinion requests and rulemaking.
- Conducting and monitoring research on complex legal questions, issues, problems, and cases concerning the interpretation, application, and enforcement of agency statutes and regulations.

- Representing the Inspector General in complex negotiations, such as negotiating safe harbor rulemaking.
- Coordinating with the attorneys of the Department of Justice and Office of the General Counsel for the Department of Health & Human Services on issues arising from advisory opinions, rulemaking, and other guidance.
- Directing and coordinating the preparation of advisory opinions, regulations (including preamble), and other documents and materials preparatory or incident to industry guidance on health care fraud and abuse issues.
- Directing and coordinating feedback provided by the Industry Guidance Branch to OIG's Congressional Affairs office regarding proposed and actual legislation and responses to requests from the U.S. Congress.
- Monitoring the review and evaluation of factual and legal issues and materials resulting from requests for advisory opinions or matters related to rulemaking and other guidance.
- Developing and using an authoritative knowledge of: major Department programs and activities; the content, precedents, and decisions of applicable case law; civil procedures; and the general principles, rules, and decisions in other related areas of law.
- Providing authoritative legal advice, guidance, and assistance to the Inspector General regarding legal and regulatory strategy; legislative proposals; integration and interpretation of new and emerging authorities and agency responsibilities under anticipated and current regulatory authorities; legal atmosphere concerning issues being deliberated and relevant regulatory and procedural information; reviewing documents and other materials to ensure legal sufficiency and compliance with regulatory requirements; and other related matters.
- Managing, directing, and supervising the activities of GS-11 through GS-15 attorneys and support staff. Making assignments and overseeing the work of the attorneys and, as applicable, support staff.
- Establishing performance standards, evaluating the performance of attorneys and staff, giving advice, counseling and instructing on both work and administrative matters, identifying development and training needs of staff, making recommendations for appointments, promotions, reassignments awards, and scheduling and approving leave.

REQUIREMENTS

Conditions Of Employment:

- U.S Citizenship is required.
- Registration with the Selective Service (if applicable).
- You may be required to serve a two-year trial period.

Qualifications: Applicants must meet all the qualification requirements, including education, and any selective placement factors described below within 30 days of the closing date of this announcement.

Positive Education Requirement: This position has a position education requirement, as indicated below.

Minimum Requirements:

Applicants must have graduated with a Juris Doctorate (JD) or Bachelor of Laws (LL.B.) from a law school accredited by the American Bar Association and must be a current member, in good standing of a state, territory of the United States, District of Columbia, or Commonwealth of Puerto Rico bar association.

Applicants must have at least four (4) years of professional legal experience post bar admission equivalent to at least the GS-14 grade level. Experience may be outside of the Federal Government.

Highly qualified applicants will have significant experience as an attorney advising agencies (Federal, state, or local), individuals, or entities on matters involving health care fraud and abuse laws. In addition, highly qualified applicants will have sophisticated analytical skills, superior written and oral communications skills, good judgment, and experience in interacting with government and non-government officials. Finally, highly qualified applicants will have been responsible for planning, directing, and evaluating work, either in a managerial capacity or in another leadership role.

Experience refers to paid and unpaid experience, including volunteer work done through National Service programs (e.g., Peace Corps, AmeriCorps) and other organizations (e.g., professional; philanthropic; religious; spiritual; community, student, social). Volunteer work helps build critical competencies, knowledge, and skills and can provide valuable training and experience that translates directly to paid employment. You will receive credit for all qualifying experience, including volunteer experience. Your resume should include the dates of all qualifying experience (from month/year to month/year) and the number of hours worked/volunteered per week.

Education:

Foreign Education: Education completed in foreign colleges or universities may be used to meet education requirements if you can show that the foreign education is comparable to that received in an accredited educational institution in the United States. It is your responsibility to provide such evidence when applying. Click on the link for a [list of accrediting organizations](#) recognized as specializing in interpretation of foreign education credentials.

Recruitment Incentives: Payment for relocation expenses is not authorized for this position. A recruitment bonus will not be offered. Repayment of student loans will not be offered.

Security and Background Requirements: If hired, a background security reinvestigation or supplemental investigation may be required at a later time. Applicants are also advised that all information concerning qualifications is subject to investigation. False representation may be grounds for non-consideration, non-selection and/or appropriate disciplinary action.

EEO Statement: HHS is an equal opportunity employer. Selection for this position will be based solely on merit without regard to race, color, religion, age, gender, national origin, political affiliation, disability, sexual orientation, marital or family status, or other differences.

HHS has a critical preparedness and response mission: HHS protects the American people from health threats, researches emerging diseases, and mobilizes public health programs with domestic and international partners. In support of this mission, HHS offers its employees the opportunity to volunteer to become Federal Civilian Detailees and contribute their unique skills through voluntary temporary assignments to humanitarian emergencies or Departmental priorities countering new and emerging health, safety, and security threats.

Benefits Link: <https://www.usajobs.gov/Help/working-in-government/benefits/>

HOW YOU WILL BE EVALUATED

How You Will Be Evaluated:

Your application will be evaluated on the quality and extent of your experience, education (if applicable), and training relevant to the duties of this position. If you are found minimally qualified for the job, your application package will be further evaluated to determine your possession of the critical knowledge, skills, abilities, and other characteristics required for this position.

Your resume must document specialized experience and support your qualifications for this position.

REQUIRED DOCUMENTS

Required Documents:

All applicants are required to submit the following supporting document type(s):

- Resume
- Proof of Active Bar Status

Financial Disclosure: This position may be subject to financial disclosure requirements and must be filed within 30 days of the appointment. For more information about Financial Disclosure and OGE Form 450, you may go to the Office of Government Ethics website at www.oge.gov and select Financial Disclosure. Frequently Asked Questions can be found at <http://www.oge.gov/Financial-Disclosure/Confidential-Financial-Disclosure-450/OGE-Form->

[450-FAQs/OGE-Form-450-FAQs/](#).

For Most Effective Resumes Tips visit:

https://help.usajobs.gov/index.php/Most_Effective_Resumes

Please visit the YouTube Link for additional Tips:

<https://www.youtube.com/watch?v=bqYkibnuiJU>

**APPLICATION MATERIALS MUST BE RECEIVED BY 11:59 pm (EASTERN TIME)
ON 11/29/2023.**

HOW TO APPLY

A resume and proof of bar active membership should be submitted by email to Tynishia Gardner (Tynishia.Gardner@oig.hhs.gov).

Questions regarding this vacancy or the application process should be directed to Tynishia Gardner (Tynishia.Gardner@oig.hhs.gov).

Agency Information:

OIG Office of Counsel to the Inspector General
330 Independence Ave, SW
Washington, DC 20201

Next Steps:

The most highly qualified candidates will be referred to the hiring manager for further consideration and possible interview.

You will receive notice via email or by mail, if no email address was provided by you during the application process, once this process is completed.