



STATE OF WASHINGTON
OFFICE OF FINANCIAL MANAGEMENT

STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM
P.O. Box 40911 · Olympia, WA 98504-0911 · (360) 407-4101 · FAX (360) 586-4694

November 10, 2015

TO: Kristie Wilson
Acting Rules and Appeals Program Manager

FROM: Cherie L. Willhide, SPHR
Director's Review Investigator

SUBJECT: Janet Simms v. Department of Social and Health Services (DSHS)
Allocation Review Request ALLO-15-077

Director's Determination

On August 5, 2015, the Director's Review Program received Janet Simm's request for review of the DSHS's allocation determination. A Director's Review hearing was held with all parties on October 15, 2015.

As the Director's designee, I carefully considered all of the documentation in the file including the exhibits discussed during the Director's review conference and the verbal comments provided by the parties. Based on my review and analysis of Ms. Simm's assigned duties and responsibilities, I conclude her position is properly allocated to the Examiner Support Specialist 1 classification.

Background

In early 2015, DSHS sent a request to the Office of Financial Management State Human Resources Division (OFM-SHR) to approve a new class series of Examiner Support Specialist within the Disability Determination Services Division (DDS) at DSHS. OFM-SHR approved the new class series with an effective date of July 1, 2015. As a result, all positions previously allocated as Medical Assistance Specialists within DDS were reallocated to the Examiner Support Specialist classification. In order to determine the appropriate level within the new classification, Ms. Simm's position description was updated and submitted to the DSHS Classification and Compensation Unit on June 29, 2015 (Exhibit B-1).

On July 13, 2015, DSHS issued its allocation decision, concluding the DDS Examiner Support Specialist 1 classification best described the duties and responsibilities assigned to Ms. Simm's position (Exhibit B-1).

On August 5, The Director's Review Program received Ms. Simm's request for review of the DSHS allocation decision.

On October 15, 2015, I conducted a Director's review conference with Ms. Simms; Mr. Adam Draude, Union Representative, Washington Federation of State Employees (WFSE); Leann Amstutz, Office Chief, DSHS; and Dorothy Hibbard, Classification & Compensation Specialist, DSHS.

Rationale for Director's Determination

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. *Liddle-Stamper v. Washington State University*, PAB Case No. 3722-A2 (1994).

Duties and Responsibilities

Ms. Simms processes DDS disability claims for the Social Security Administration and State Non-Grant Medical Claims. Ms. Simms major job duties are listed as follows (Exhibit B-1).

- 60% - Assists and coordinates with adjudicators to ensure claimants attend their exams and acts as a liaison between the claimant and the adjudicator; Researches, investigates and locates claimants who have moved or have a new telephone number; Emphasizes the importance of attending these exams and explains options that DDS can provide. Independently determines transportation needs of the claimant including unusual transportation requests to accommodate disabilities and remote locations; explains to the claimant, their representatives or third party person the Consultative Exam (CE) process and its role in claims processing; Thoroughly documents in the Electronic Worksheet Screen (EWS) each phone call including any and all attempts and inability to reach the claimant.
- 20% - Sends copies of CE reports to designated 3rd parties while maintaining claimant confidentiality.
- 15% - Faxes ancillary exam orders, such as x-ray requests to the appropriate facility, making sure that all the appropriate authorizations are attached.
- 5% - Other duties as assigned.

Summary of Ms. Simm's Perspective

Ms. Simm's stated she feels the duties and responsibilities she performs, such as dealing with 3rd party reports, faxing information to medical providers and hospitals, mailings and other job duties meet the requirements of the Examiner Support Specialist 2 position. Ms. Simm's explained that in her previous classification of Medical Assistant Specialist she was a 2 level, so she does not understand what changed that would make her a 1.

Summary of DSHS's Reasoning

DSHS explained that this reallocation was not an individual reallocation, but that all forty-eight Medical Assistance Specialist were moved to the new Examiner Support Specialist classification. DSHS explained that the Medical Assistance Specialist had levels 1-5, while the new Examiner Support Specialist consists of levels 1-4. As a result, several positions ended up at a different level than their previous positions. DSHS stated that the allocation decision was based on the information provided in Ms. Simm's updated position description. DSHS contends that the majority of Ms. Simm's duties are of a routine nature and Ms. Simm's position has limited decision making authority. DSHS asserts that Ms. Simm's position should remain allocated to the Examiner Support Specialist 1 classification.

Comparison of Duties to Class Specifications

When comparing the assignment of work and level of responsibility to the available class specifications, the class series concept (if one exists) followed by definition and distinguishing characteristics are primary considerations. While examples of typical work identified in a class specification do not form the basis for an allocation, they lend support to the work envisioned within a classification.

Comparison of Duties to DDS Examiner Support Specialist 2

There is no Class Series Concept for the DDS Examiner Support Specialist series.

The Definition for the DDS Examiner Support Specialist 2 class states:

In the Division of Disability Determination Services (DDS) these positions independently provide technical support coordinating and completing case processing actions for DDS Adjudicators for determinations for Social Security Disability claims. They are the first point of contact for applicants and medical providers and have authority to make decisions on medical records attainment based on SSA regulations, authorization and bill paying, scheduling and completing technical case actions utilizing specialized State and Federal computer programs and data basis.

The Distinguishing Characteristics for this class state:

This is the fully qualified journey level of the series. Positions make decisions independently regarding claim information and coordination of required evidence with federal and state partners, the professional community, attorneys and applicants. Responsible for casework and/or own workload management and meeting deadlines. Positions continue to participate in advanced formal and on-the-job training.

The OFM-SHR Glossary of Classification Terms defines Journey Level as follows:

Fully competent and qualified in all aspects of a body of work and given broad/general guidance. Individuals can complete work assignments to standard under general supervision.

In addition, although the examples of typical work identified in a class specification do not form the basis for an allocation, they lend support to the scope and level of work performed by that classification. The DDS typical work statements include the following:

Reads and interprets Social Security regulations and procedural manuals;

Obtains and reviews necessary data, documentation and verification of documentation as it relates to the recipient's specific circumstances, explains program requirements to applicants;

Evaluates claim downloads from Social Security Field Offices and DSHS offices and accepts or rejects jurisdiction; ensures accurate claim information is received and transmitted back to the Social Security Administration;

Contacts state and federal partners, professional organizations, attorneys, applicants, and third parties to resolve discrepancies or obtain additional information;

Coordinates contracted medical and psychological providers' schedules, schedules appointments, transportation, and interpreters for applicants;

Monitors report receipt and authorizes payment for services using knowledge and understanding of Current Procedural Terminology (CPT) codes; accurately prepares fiscal documents; Researches federal databases and verifies receipt, determines accurate fee reimbursement, and processes payment for Medical Evidence of Record and Consultative Examinations for all offices statewide.

While a portion of Ms. Simm's work involves contacting third parties to provide or receive information and explaining program requirements to applicants, as a whole, Ms. Simm's position duties do not meet the requirements of the DDS Examiner Support Specialist 2 class.

For example, while Ms. Simm's does contact applicants to determine the need for transportation and/or interpreter services, and enters that information into the DDS tracking system, Ms. Simms does not schedule the transportation or interpreter services. Ms. Simms also contacts applicants to remind them of their scheduled appointments, but she does not coordinate the provider's schedules to make the appointments.

Therefore, the focus of her position, and the majority of Ms. Simm's assigned work duties do not reach the primary allocating factors required for allocation to this class. The DDS Examiner Support Specialist 2 is not the best fit for Ms. Simms position.

Comparison of Duties to DDS Examiner Support Specialist 1

The Definition for the DDS Examiner Support Specialist 1 class states:

In the Division of Disability Determination Services (DDS) these positions work under general supervision and provide routine technical support to DDS Adjudicators by planning, coordinating and completing case processing actions for Social Security Disability Insurance. These positions receive training and on-the-job experience using Social Security Administration (SSA) and Community Services Office (CSO) electronic

case files and SSA regulations to provide technical assistance to adjudicative staff and use specialized State and Federal computer programs and data bases to complete case processing tasks unique to DDS. These positions are the first point-of-contact for medical providers and have limited authority to make decisions on medical records attainment based on SSA regulations. Complex and unusual problems are presented to higher level staff for resolution.

The Distinguishing Characteristics for this class state:

This is the entry level of the series. Positions have limited scope and work toward increased independence to provide the full range of services through formal DDS training and on-the-job training. The majority of the time is spent completing routine duties in support of DDS Adjudicators. These positions provide a variety of routine technical computer, case file, and lower level adjudicative tasks such as coordinating and attaining records using specific knowledge of and adherence to SSA regulations on records retention, management of different types of records, and correct placement of records in the electronic case file.

The OFM-SHR Glossary of Classification Terms defines Entry Level as follows:

Performs beginning level work under close or direct supervision. Incumbents typically work within narrowly established guidelines and parameters. Duties are often repetitive and routine and decision making is limited. Clear work directions and parameters are provided and outcomes are reviewed by higher levels.

Ms. Simms level of responsibility for providing support for DDS Adjudicators and claimants are consistent with these statements. Ms. Simms follows established work methods and procedures to complete daily support tasks. The majority of her tasks are limited in scope and routine in nature. Ms. Simms has some latitude on resolving issues and moderate or complex issues are referred to a higher level position for resolution.

Ms. Simms provides standard-level technical support for the DDS claimants, adjudicators and staff. For example, her duties involve the daily processing of CSO case files. Ms. Simms receives information from the CSO and releases information to 3rd parties under SSA procedures and guidelines. Ms. Simms handles standard questions from claimants and refers complex problems to higher level specialists for resolution which is consistent with this class.

Although the examples of work do not form the basis for an allocation, they lend support to the work envisioned within a classification. The following examples of work are listed under the DDS Examiner Support Specialist 1 class and most relate to the duties Ms. Simm's performs:

Evaluates documents for accuracy, ensures proper regulatory attachments are available, and determines method of delivery; has responsibility for the security and handling of confidential and protected information. Independently verifies the routing of medical records or other confidential paper and/or electronic records received for claims decisions. Ensures documents are complete and associated with correct claim;

Assists claimants in understanding the Social Security Disability program requirements and redirects calls if necessary;

Arranges for confidential medical records and reports to be sent or released to consultative examination vendors, attorneys, or other authorized third parties;

Reminds claimants of appointments and program requirements.

These examples of work are consistent with the duties Ms. Simms performs.

For example, Ms. Simms ensures that the proper releases for information have been obtained and that the requesting party is allowed to receive the information. She reviews the files to ensure all the proper information is included and determines whether the information is sent via Fax or mailed to the requesting party.

Ms. Simms calls claimants on a daily basis to remind them of their medical appointments and receives incoming confirmation calls from the claimants. She answers general questions regarding the SSA Disability Services program and transfers calls to the adjudicators from claimants who have questions regarding the status of their claims. Ms. Simms faxes requests to medical providers for authorization for services such as x-rays or blood work.

Based on the overall scope of her assigned responsibilities and duties, The DDS Examiner Support Specialist 1 classification is the best fit for Ms. Simms position. Her position is appropriately allocated as a DDS Examiner Support Specialist 1

Appeal Rights

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to the Washington personnel resources board. Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The mailing address for the Personnel Resources Board (PRB) is PO Box 40911, Olympia, Washington, 98504-0911. The PRB Office is located on the 3rd floor of the Raad Building, 128 10th Avenue SW, Olympia, Washington. The main telephone number is (360) 407-4101, and the fax number is (360) 586-4694.

If no further action is taken, the Director's determination becomes final.

cc: Janet Simms, Employee
Adam Draude, WFSE
Leann Amstutz, DSHS
Dorothy Hibbard, DSHS Class. & Comp.

Enclosure: List of Exhibits

A. Janet Simms Exhibits

1. Director's Review Appeal Letter received August 5, 2015
2. July 13, 2015 DSHS reallocation letter
3. Third party list and letters
4. Claimant calls in on phone confirmation line
5. Pull messages off of phone confirmation line
6. List of calls to make to remind claimants of medical appointments
7. Order transportation to pick up claimants for appointments
8. Fax requests to medical facilities for x-rays, blood work, etc.
9. Open and process claimant survey letters
10. Other duties fold envelop around brochure

B. DSHS Exhibits

1. July 13, 2015 Reallocation letter with position description and organization chart
2. DDS ESS 1 classification specification
3. DDS ESS 2 classification specification
4. DDS ESS 3 classification specification
5. DDS ESS 4 classification specification