

New York State Department of Civil Service
DIVISION OF CLASSIFICATION & COMPENSATION

Classification Standard

Occ. Code 6515300

Health Hearing Examiner, Grade 28

Brief Description of Class

Health Hearing Examiners preside at Department of Health (DOH) adjudicatory hearings related to various provisions of Public Health Law, Social Services Law, and State and federal codes, rules, and/or regulations. Positions evaluate testimony and other evidence, rule on motions, draft legal decisions, and issue final decisions for various hearings and hearing appeals in DOH's Division of Legal Affairs.

Distinguishing Characteristics

Health Hearing Examiner. full performance level; reporting to an exempt attorney, presides at adjudicatory hearings and appeals related to various provisions of Public Health Law, Social Services Law, and other codes, rules, and/or regulations; adjudicates a full range of hearings and appeals that cover all aspects of DOH's operations; functions as an independent decision maker to resolve cases.

Illustrative Duties

Reviews statements of charges, notices, and other hearing documents for issues to be adjudicated; determines application section of law, code, rule, and/or regulation; and conducts legal research to prepare for the hearing.

Based on review of documentation and knowledge of legal issues, secures additional information from parties for the hearing.

Moderates hearings to maintain an orderly examination of issues; hears arguments presented by parties; evaluates and considers the appropriateness of testimony and other evidence presented; rules on legal motions; ensures that hearings are transcribed.

Interprets relevant sections of law, code, rule and/or regulations relative to assigned hearings.

Drafts and issues decisions; presents decisions requiring review and approval to managerial and executive staff.

Advises DOH Counsel on issues that may impact State operations, policies, and procedures, those that are precedent setting, or those that may receive broad public attention.

Proposes operational changes to improve the efficiency of processes and proceedings.

May supervise support staff involved with adjudication operations.

Minimum Qualifications

Open Competitive: Admission to the New York State Bar, and five years of subsequent legal experience, including either one year as a presiding hearing officer in patient care, enforcement and disciplinary hearings against professionals, eligibility hearings, Social Security or Medicaid; or two years as the attorney of record in administrative proceedings involving patient care, enforcement and disciplinary hearings against professionals, eligibility hearings, Social Security or Medicaid; or one year as a judge in the unified court system.

Note: Classification Standards illustrate the nature, extent and scope of duties and responsibilities of the classes they describe. Standards cannot and do not include all of the work that might be appropriately performed by a class. The minimum qualifications above are those which were required for appointment at the time the Classification Standard was written. Please contact the Division of Staffing Services for current information on minimum qualification requirements for appointment or examination.

Date: 3/2021

AJR