

## STATE OF NEW JERSEY

In the Matter of Amy Mihalik, Principal Claims Reviewer (PS3894K), Department of Human

Services

CSC Docket No. 2018-2394

FINAL ADMINISTRATIVE ACTION OF THE **CIVIL SERVICE COMMISSION** 

Examination Appeal

**ISSUED: APRIL 9, 2018** (SLK)

Amy Mihalik appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirements for the promotional examination for Principal Claims Reviewer (PS3894K), Department of Human Services.

The examination at issue was announced with specific requirements that had to be met as of the October 23, 2017 closing date. The education requirement was a Bachelor's degree. The experience requirements were three years of experience in the evaluation and/or verification and eligibility determination for applications for financial medical assistance, benefits or other services or, in credit investigations. Applicants who did not possess the required experience may have substituted applicable experience on a year for year basis, with 30 semester hour credits being equal to one year of experience. A total of four employees applied for the subject examination and they were each determined ineligible. Therefore, the examination was cancelled due to a lack of qualified candidates.

The appellant indicated on her application that she possessed 45 college credits. Personnel records indicate that the appellant was provisionally serving in the subject title from October 2016 to the October 23, 2017 closing date, a Technical Assistant 1, Community Affairs from July 2013 to October 2016, a Technical Assistant 2, Community Affairs from September 2009 to July 2013, and in various other clerical positions from June 2005 to September 2009. Agency Services credited the appellant with one year and six months of experience based on her

education, but determined that she lacked five years and six months of the required experience.

On appeal, the appellant explains how she analyzes information to determine if a Long-Term Care facility, as provider of Medicaid services, is eligible to be exempt from the assessed provider tax. Further, the appellant evaluates and recommends facility Medicaid per diem rates and retroactive mass rate adjustments related to Medicaid. Moreover, the appellant investigates whether a facility is found to have committed Medicaid fraud, and if so, she calculates changes to the facility's Medicaid per diem rate, retroactive rate adjustment, and performs an interest calculation regarding a facility's Medicaid overpayment. The appellant submits e-mails to demonstrate that she performs the work as described in her appeal.

## CONCLUSION

*N.J.A.C.* 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

In the instant matter, Agency Services correctly determined that the appellant is not eligible for the examination. The appellant's application and appeal indicate that the appellant's duties were to determine a facility's status regarding the provider tax that is assessed to facilities that accept Medicaid patients and other issues regarding that institution's involvement in the Medicaid program. The subject examination requires experience determining applications for financial or medical assistance, benefits or other services, or in credit investigations. In other words, the examination requires experience involving the review of an individual's eligibility for assistance, benefits, or credit investigations programs while the appellant is performing analysis at the institutional level regarding assessed taxes and other issues related to an institution's involvement as a Medicaid services provider.

Moreover, the Civil Service Commission notes that even though the appellant is provisionally serving in the title under test, Agency Services did not credit her with any applicable work experience for this position. In this regard, the definition section of the job specification for Principal Claims Reviewer states:

Under the direction of a Supervisory Officer assists in the supervision of a section engaged in review and processing of eligibility claims for Medicaid Programs; does other duties.

Significantly, the duties that the appellant describes for her provisional position do not appear to be consistent with a Principal Claims Reviewer

classification. Therefore, since it appears that the appellant may not be performing the duties of a Principal Claims Reviewer, it is appropriate to refer the matter of the classification of her provisional position to Agency Services for review, and the appointing authority shall affect the proper classification of the position within 30 days of Agency Services' classification determination.

## **ORDER**

Therefore, it is ordered that this appeal be denied. It is further ordered that the matter of the classification of the appellant's provisional position be referred to the Division of Agency Services for further review.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE CIVIL SERVICE COMMISSION ON THE 4<sup>th</sup> DAY OF APRIL, 2018

Deirdre L. Webster Cobb Acting Chairperson

Civil Service Commission

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