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STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of Brenda Starling,
Medical Review Analyst (PS0181K),
Department of Human Services

Examination Appeal

CSC Docket No. 2017-82

ISSUED: **MAR 15 2017**, (ABR)

Brenda Starling appeals the determination of the Division of Agency Services (Agency Services), which found that she did not meet the experience requirement for the promotional examination for Medical Review Analyst (PS0181K), Department of Human Services.

The subject examination was announced with a closing date of January 21, 2016 and was open to employees who possessed a Bachelor's degree and three years of comprehensive experience in work involving the review, analysis, investigation, and/or authorization of medical care services in a large agency or organization responsible for the provision and/or payment of health services. Applicants who did not possess the required education could substitute experience as indicated on a year for year basis, with 30 credit hours being equal to one year of the aforementioned experience. The subject eligible list, containing 14 names, promulgated on June 23, 2016 and expires on June 22, 2019. Three eligibles presently remain active on the subject eligible list.

On her application, the appellant indicated that she possessed an Associate's degree in Nursing from Mercer County Community College (MCCC) and had earned 113 semester hour credits from that institution. Therefore, pursuant to the substitution clause, she needed to possess three years and six months of the indicated experience. With regard to the experience listed on her application, the appellant stated, in relevant part, that she served provisionally as a Medical Review

Analyst from March 2015 to the closing date of the examination (January 2016)¹; as a Regional Staff Nurse, Medical Assistance from December 2012 to March 2015; and as a Charge Nurse from August 2005 to December 2012. Agency Services credited the appellant with three years and three months of applicable experience based upon her provisional service as a Medical Review Analyst and her service as a Regional Staff Nurse, Medical Assistance. However, it determined that the relevant duties she listed as a Charge Nurse were out-of-title and that her remaining experience did not constitute applicable experience. Therefore, Agency Services deemed the appellant ineligible for the subject examination because she lacked an additional three months of applicable experience.

On appeal to the Civil Service Commission (Commission), the appellant argues, in relevant part, that her completion of an Associate's degree, together with the additional credits she earned from subsequent coursework and her work experience, satisfies the eligibility requirements for the subject examination. The appellant claims that she possesses a total of 150 semester credit hours through coursework she completed at Rutgers University, Holy Family University, William Paterson University and MCCC and she submits an unofficial transcript from Rutgers University dated July 5, 2016. With respect to her experience, the appellant contends that her service as a Charge Nurse constitutes applicable experience because her primary duties in that title included evaluating referrals, along with psychiatric and medical care data, to determine treatment needs for patients; conducting medication education review with patients in order to facilitate care planning goals; establishing and maintaining a data collection system; and collaborating with affiliated agencies to ensure a safe and secure transfer of each patient to a designated facility. The appellant also submits a copy of a Performance Assessment Review (PAR) from her service in the title of Charge Nurse for the period from September 1, 2010 to August 31, 2011, which notes, in relevant part, that her duties included processing referrals for treatment at non-forensic State psychiatric hospitals, gathering data used to identify improvements for the treatment of the mentally ill, and attending local systems review committee meetings designed to address problems and recommend improvements for the mental health system.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants must meet all requirements specified in a promotional examination announcement by the closing date. *N.J.A.C.* 4A:4-2.6(c) provides that applicants for promotional examinations generally may not use experience gained as a result of out-of-title work to satisfy eligibility requirements.

¹ Agency records indicate that the appellant returned to her permanent title of Regional Staff Nurse, Medical Assistance, effective September 3, 2016.

Incomplete Bachelor's degrees are only awarded eligibility credit for up to a maximum of 105 completed college credits, regardless of the level of coursework. *See In the Matter of Jeffrey Booth and Jean Peterson* (MSB, decided August 11, 2004). As such, the appellant's additional credits may not be credited for eligibility purposes. Therefore, per the substitution clause, she needed to possess three years and six months of the indicated experience.

Agency Services correctly credited the appellant with three years and three months of applicable experience based upon her provisional service as a Medical Review Analyst and her service as a Regional Staff Nurse, Medical Assistance. On appeal, the appellant argues, in relevant part, that her service as a Charge Nurse also constitutes applicable experience for the subject examination and she submits a copy of a PAR for the period from September 1, 2010 to August 31, 2011. In order for experience to be considered applicable, it must have as its primary focus full-time responsibilities in the areas required in the announcement. *See In the Matter of Bashkim Vlashi* (MSB, decided June 9, 2004). A review of the record demonstrates that the primary focus of the appellant's duties as a Charge Nurse was the processing of referrals to State psychiatric hospitals, which differs from the experience required for the subject examination. Specifically, there is no indication that she evaluated the quality and necessity of treatments and services in a way that determined specific care plans for patients or reimbursements for medical services. As such, it cannot be said that her primary responsibilities included the comprehensive review, analysis, investigation, and/or authorization of medical care services required for the subject examination. Accordingly, her experience as a Charge Nurse is not considered applicable experience for the subject examination.

Furthermore, even if the appellant had performed relevant duties as a Charge Nurse, such experience would not have been creditable for the subject examination, as relevant duties performed in that title would have been considered out-of-title. Additionally, the record does not evidence good cause to accept such out-of-title work pursuant to *N.J.A.C. 4A:4-2.6(c)* because the eligible list is complete and the appellant is no longer serving provisionally in the subject title.

Finally, there is no indication that any of the appellant's remaining experience constitutes applicable experience for the subject examination. Accordingly, the appellant has not met her burden of proof and there is no basis to disturb the decision of Agency Services.

ORDER

Therefore, it is ordered that this appeal be denied.

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 9TH DAY OF MARCH, 2017

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Chairperson
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