



STATE OF NEW JERSEY

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

In the Matter of Catherine S. Gopez
and Nancy O'Donnell, Quality
Assurance Specialist, Health Services
(PS4301K), Department of Human
Services

Examination Appeals

CSC Docket Nos. 2019-1427 and
2019-1455

ISSUED: December 23, 2019 (BS)

Catherine S. Gopez and Nancy O'Donnell appeal the determinations of the Division of Agency Services (Agency Services) which found that they did not meet the requirements for Quality Assurance Specialist, Health Services (PS4301K), Department of Human Services. These appeals have been consolidated due to the issues raised by the appellants.

The subject promotional examination was announced with a closing date of April 23, 2018 and required that all applicants possess a license as a Registered Nurse in the State of New Jersey plus four years of experience as a Registered Nurse, one year of which is specialized experience including the monitoring and/or evaluation of clinical or human services records and programs in a mental health, geriatric, health care setting, or human services agency. The promotional examination announcement also stipulated that a Bachelor's degree plus three years of specialized experience in the field of quality assurance in a mental health, geriatric, health care setting, or human services agency which includes monitoring and/or evaluation of clinical or human services records and programs which may include allegations of abuse, neglect, exploitation, or incidents of client abuse or safety and well-being, could be substituted for the above license and experience requirements. Additionally, a Master's degree in Public Health or a health care related field could be substituted for one year of indicated specialized experience. Commission records reveal that 38 qualified applicants were admitted to the examination scheduled for December 19, 2019.

Both Catherine S. Gopez and Nancy O'Donnell filed applications on which they indicated that they possessed Bachelor's degrees and, therefore, needed to possess three years of the required experience in quality assurance. The primary focus of Ms. Gopez's experience responsibilities included intake eligibility and behavior monitoring/intervention. None of Ms. Gopez's positions involved in-title responsibilities in the area of monitoring and evaluating records and programs for quality assurance as required. As of the closing date, Ms. O'Donnell possessed one month of applicable experience as a provisional Quality Assurance Specialist, Health Services. The primary focus of Ms. O'Donnell's experience as a Senior Community Program Development Specialist was assisting clients in applying for programs, living arrangements, and other related services and training clients and staff rather than specifically specialized experience in quality assurance as required. Agency Services concluded that neither appellant satisfied the subject requirements.

On appeal, both appellants assert that they satisfy the subject requirements. Ms. Gopez argues that, in addition to her Master's degree in Special Education, she asserted that, although her experience as an Intake Worker focused on eligibility, she also conducted quality assurance reviews. Also, as a member the Interdisciplinary Team, she analyzed and evaluated behavior support and individualized habilitation plans. Ms. O'Donnell argues that, in addition to her experience with the Division of Developmental Disabilities, she also performed relevant duties as a Senior Community Program Specialist.

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the examination announcement by the closing date. *N.J.A.C.* 4A:4-2.6(c) provides that except when permitted for good cause, applicants for promotional examinations may not use experience gained as a result of out-of-title work to satisfy eligibility requirements. *N.J.A.C.* 4A:4-6.3(b) provides that, except for medical or psychological disqualification appeals, the appellant shall have the burden of proof.

In the present matter, a review of the documentation demonstrates that the appellants are not eligible for the subject promotional examination. Initially, it is noted that applicants must demonstrate on their applications that the duties they perform provide them with the experience required for eligibility. *See In the Matter of Charles Klingberg* (MSB, decided August 28, 2001). Moreover, 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). In reviewing eligibility for an examination, the experience required to qualify for the examination is strictly interpreted.

As of the closing date, neither appellant satisfied the Registered Professional Nurse requirement. Accordingly, each needed to possess a Bachelor's degree plus three years of specialized experience in the field of quality assurance. Although Ms. Gopez possesses a Master's degree in Special Education, this was not one of the field specified in the Master's degree substitution clause. As a result, Ms. Gopez's Master's degree was not substitutable for one year of the required experience. Neither appellant established that they possessed the three years of specific, specialized experience in a position where the primary focus was work in the field of quality assurance in a mental health, geriatric, health care setting, or human services agency which includes monitoring and/or evaluation of clinical or human services records and programs as required. Therefore, neither satisfied the subject examination requirements.

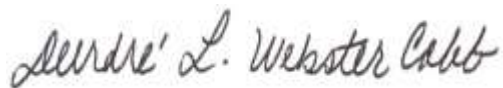
Consequently, a thorough review of all material presented indicates that the determinations of Agency Services, that the appellants did not meet the announced requirements for eligibility by the examination closing date, is supported by the record. Thus, these appellants have failed to support their burden of proof in this matter.

ORDER

Therefore, it is ordered that these appeals 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 18TH DAY OF DECEMBER, 2019



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