

# State Office of Risk Management

## Job Announcement

State Office of Risk Management

**POSTING NUMBER:** 22-0041

**JOB TITLE:** Director III

**MONTHLY SALARY:** \$7,600.00

**POSTING DATE:** September 16, 2021

**LOCATION:** 300 West 15th Street, 6th Floor, Austin, TX 78701

**WORKING TITLE:** Director, Litigation Management

**DURATION:** Until Filled

### **GENERAL DESCRIPTION**

The State Office of Risk Management (SORM) is looking for a Director of Litigation Management. In conjunction with other agency authorities, the Director of Litigation Management plans, coordinates, and oversees the agency's litigation while maintaining and promoting relationships with clients and other legal representatives. As the Director, you will act as a liaison between SORM and the Office of the Attorney General and advocate on behalf of SORM before the Division of Workers Compensation, State Office of Administrative Hearings, and courts. You will supervise litigation operations to create an efficient, well-structured team and ensure compliance with workers' compensation and other legal requirements.

### **ESSENTIAL JOB FUNCTIONS**

Administers the daily operations and activities of the agency's strategic advocacy, including impact litigation.

Provides direction to professional and administrative staff and affiliated agencies on legal matters and the interpretation, application, and enforcement of the Texas Workers Compensation Act and related rules.

Works directly with internal staff and the Attorney General's Office to coordinate and formulate strategies for successful representation before the Division of Workers Compensation, State Office of Administrative Hearings, and courts.

Identifies and consults with key personnel to analyze potential litigation and develop pre-litigation strategies.

Responsible for and/or oversees case preparation and presentation in workers' compensation administrative hearings, benefit review conferences, contested case hearings, medical fee disputes, medical necessity disputes, court trials; subrogation lien recovery; subsequent injury fund requests for reimbursement; and workers' compensation fraud investigations.

May represent the agency, as needed, in matters before Division of Workers Compensation, the State Office of Administrative Hearings, and courts.

May interview clients and witnesses to obtain the facts of a case. May testify at hearings and trials.

May research points of law involved in hearings to determine the validity and completeness of cases cited.

Maintains detailed and up-to-date information on the status of workers' compensation disputes and litigation, analyzes dispute and litigation outcomes and trends, adjusts litigation strategies in response to outcomes and/or trends, and revises litigation-related policies and procedures as needed.

Assists with and/or develops hearing schedules, priorities, and standards. Monitors compliance with deadlines and requirements in the Workers' Compensation Act and rules.

Assists Claims and Cost Containment Departments in comprehensive policy development and implementation as it relates to Texas Workers Compensation.

Provides direction and guidance to a highly specialized workforce and a wide array of management positions regarding claims administration under the Texas Workers' Compensation Act. Provides consultation and technical assistance to department supervisors in strategic management practices, including process improvement, problem solving, and assistance in the design of measurement systems and other similar activities.

Establishes strategic management practices, evaluates existing processes, and implements process improvements.

Plans, develops, and approves schedules, priorities, and standards for hearing representatives. Monitors the performance of hearing representatives and ensures representatives are prepared for, attend, and handle workers' compensation conferences and hearings professionally and appropriately.

Plans, develops, and approves schedules, priorities, and standards for litigation staff. Monitors staff performance to ensure deadlines are met and workers' compensation information exchanges comply with the Workers' Compensation Act and rules.

Responsible for training, mentoring, and professional development of subordinate staff and workers' compensation adjusters.

Develops administrative staff by providing information, educational opportunities, and experiential growth opportunities.

Provides updates and recommendations to the Division Chief, Executive Management, and the Board on issues relating to developments on workers' compensation legal issues affecting the agency.

Prepares specialized research projects and reports for the Division Chief.

Anticipates customer needs and facilitates appropriate solutions, develops and maintains effective working relationship with internal and external customers

Represents the agency at business meetings, hearings, trials, legislative sessions (as needed), conferences, and seminars or on boards, panels, and committees

Analyzes and interprets laws, rulings, and regulations. Analyzes complex facts and applies applicable legal sources; formulates objective conclusions; makes recommendations on appropriate course of action; acknowledges alternative solutions; and pursues resolution of claims.

Reviews proposed laws, rules, regulations, bills, and statutory amendments for potential effect on agency operations and/or workers' compensation claims handling. Monitors court decisions that could potentially effect workers' compensation claims handling. Provides guidance to the agency on regulatory and legal changes.

Maintains up-to-date knowledge of legal principles, practices, proceedings, and state laws, regulations, and rules necessary to perform essential job functions.

May assist in drafting and reviewing legal documents, bills, administrative rules, and amendments for legislative consideration.

Performs related work as assigned

Maintains relevant knowledge necessary to perform essential job functions

Attends work regularly in compliance with agreed-upon work schedule

Ensures security and confidentiality of sensitive and/or protected information

Complies with all agency policies and procedures, including those pertaining to ethics and integrity

### **MINIMUM QUALIFICATIONS**

**Education:** Bachelor's degree in business, risk management or a related field. A high school diploma or equivalent and three years' experience adjusting workers' compensation claims may be substituted.

**Experience:** At least three years of experience in one or more of the following areas - workers' compensation, litigation, and supervision and/or management of staff.

**Knowledge:** Familiarity with regulatory requirements applicable to state government entities; labor and employment law; the Texas Workers' Compensation Act, rules, regulations, Appeals Panel Decisions; and other areas of law respecting agency operations.

**Skill:** Identifying problems and reviewing related information to develop and evaluate options and implement solutions; in using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions, or approaches to problems; and in reconciling differences.

Skill in handling multiple tasks, prioritizing, and meeting deadlines

Skill in effective oral and written communication [Writing sample required at time of application and administered at the time of interview]

Skill in exercising sound judgment and effective decision making

Ability to prepare legal documents; to prepare policies and procedures; to conduct research; to interpret and apply laws; to summarize findings; to prepare cases for trial; to conduct hearings; to communicate effectively; and to train, coordinate, and lead the work of others.

Ability to direct programs and activities; establish program goals and objectives that support the strategic plan; and develop and evaluate policies and procedures.

Ability to coordinate multiple projects simultaneously; prioritize workloads and complete assigned tasks under tight deadlines; and handle stressful situations.

Ability to maintain effective working relationships within and outside the agency and work with others in a professional office environment.

Ability to receive and respond positively to constructive feedback

Ability to provide excellent customer service

Ability to arrange for personal transportation for business-related travel

Ability to work more than 40 hours as needed and in compliance with the FLSA

Ability to lift and relocate 30 lbs.

Ability to travel (including overnight travel) up to 5%

#### **PREFERRED QUALIFICATIONS**

Education: Graduation from an accredited law school with a Jurisdiction Doctor (JD) degree; licensed as an attorney by the State of Texas; and in good standing with State Bar of Texas or licensed as a Texas workers' compensation adjuster and/or all lines adjuster with relevant claims related designations

Experience: More than three years of supervisory experience with a State of Texas governmental entity.

Experience: Ten years or more experience with the Texas Workers' Compensation Act; legal field insurance and claim settlement; litigation; and/or administrative law.

#### **TO APPLY**

All applications for employment with the State Office of Risk Management must be submitted electronically through [www.WorkInTexas.com](http://www.WorkInTexas.com). A State of Texas application in WorkInTexas (WIT) must be completed to be considered **OR** Submit a State of Texas Application for Employment to: Attn: Linda Griffin, State Office of Risk Management, P.O. Box 13777, Austin, TX 78711-3777. Military Crosswalk information can be accessed at [http://www.hr.sao.state.tx.us/Compensation/MilitaryCrosswalk/MOSC\\_ProgramManagement.pdf](http://www.hr.sao.state.tx.us/Compensation/MilitaryCrosswalk/MOSC_ProgramManagement.pdf)

**THE SORM IS AN EQUAL OPPORTUNITY EMPLOYER**