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ATTORNEY 3  
CLASSIFIED POSITION VACANCIES 001

LOCATION: DEPARTMENT OF REVENUE  
INSURANCE COMMISSION  
LEGAL  
KANAWHA

SCHEDULE: DAY SHIFT UNLIMITED ORIGINAL FULL-TIME PERM.

FTE: 1.00

DUTIES: POSITION PERFORMS UNDER GENERAL SUPERVISION AT FULL PERFORMANCE LEVEL. PPACA -- ABOUT 50% OF POSITION WOULD BE DEDICATED TO WORKING ON HEALTHCARE AND MORE PARTICULARLY THE PPACA, PRIMARILY PROVIDING AS NEEDED LEGAL ADVISE TO THE HEALTH POLICY UNIT ON THE PPACA. IMPLEMENTATION ISSUES NEED TO BE ANSWERED ON DAILY BASIS; INVOLVES COMPLEX AND NOVEL ISSUES OF STATE AND FEDERAL LAW. WORKERS' COMP ISSUES TAKE UP TO 50% OF WORK, INCLUDING THE PROVISION OF LEGAL SUPPORT TO THE EMPLOYER COVERAGE UNIT (ECU); STAFFING EVERY UNINSURED FUND CLAIM TO ASSIST IN DETERMINING THE "THRESHOLD" DECISION; ANSWERING EMPLOYER COVERAGE QUESTIONS REGARDING REQUESTED EMPLOYER EXEMPTIONS OR DECISIONS WHETHER TO BEGIN ACTION AGAINST EMPLOYERS FOR BEING NON-COMPLIANT; INDEPENDENT CONTRACTOR STATUS, STATUTORY EXEMPTIONS, AND EXTRATERRITORIAL COVERAGE. PROVIDE LITIGATION AND OTHER STRATEGIC OVERSIGHT ON THE UNINSURED EMPLOYER FUND (UEF) INCLUDING WORKING WITH OTHERS ON THE UEF TO ESTABLISH POLICIES TO MEET OUR FIDUCIARY DUTY TO THE FUND; ATTEND MEETINGS WITH SEDGWICK (UEF TPA) TO DISCUSS LITIGATION ISSUES AND POSSIBLE SETTLEMENT OF UEF CLAIMS; CONSULTING WITH THE AG'S CLAIMS DEFENSE DIVISION ON PENDING LITIGATION ISSUES TO PROVIDE STRATEGY AND POLICY ADVICE ON SPECIFIC CASES INVOLVING UEF LITIGATION; OVERSEE COLLECTIONS CASES AGAINST UNINSURED EMPLOYERS IN WHICH WE HIRE OUTSIDE COUNSEL; DRAFTING AMICUS BRIEFS OR ORDERS RELATED TO WC EMPLOYER ENFORCEMENT RELATED QUESTIONS. PROVIDE SELF-INSURANCE UNIT LEGAL SUPPORT PROVIDING ADVICE ON SECURITY ISSUES SUCH AS BONDS, LETTERS OF CREDIT; ISSUES WITH NON-COMPLIANCE PERTAINING TO ASSESSMENTS, DEFAULT,

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WORK WITH INDUSTRIAL COUNCIL ON ISSUES INCLUDING DRAFTING/UPDATING EXEMPT RULES TO BE PRESENTED TO INDC; PREPARE BI-ANNUAL SAFETY STUDY AS REQUIRED PURSUANT TO WV CODE 23-2C-5; PROVIDING RATES AND FORMS LEGAL SUPPORT ON WC RELATED FILINGS; PROVIDE SUPPORT TO CONSUMER SERVICES; WORK ON COLLECTIONS CASES WITH REVENUE RECOVERY. WV LAW LICENSE; GENERAL KNOWLEDGE OF FEDERAL PPACA AND WC LAWS.

REQUIREMENTS: TRAINING: ADMISSION TO PRACTICE LAW IN THE STATE OF WEST VIRGINIA.  
EXPERIENCE: FIVE YEARS OF FULL-TIME OR EQUIVALENT PART-TIME PAID EMPLOYMENT IN THE PRACTICE OF LAW.  
SUBSTITUTION: ONE YEAR OF FULL-TIME OR EQUIVALENT PART-TIME PAID EMPLOYMENT AS AN ATTORNEY WITH THE AGENCY TO WHICH ASSIGNED SHALL BE CONSIDERED THE EQUIVALENT OF TWO YEARS OF EXPERIENCE.

SALARY: PAY GRADE 022 \$47,352.00 - \$87,612.00

DEADLINE: AUGUST 12, 2013

TO APPLY: SEND DIVISION OF PERSONNEL APPLICATION TO:  
PEGGY CARDEN  
PO BOX 50540  
CHARLESTON, WV 25305

PLEASE INCLUDE POSTING NUMBER INS130063 ON APPLICATION