

**STATE OF WISCONSIN
CLASSIFICATION SPECIFICATION**

**REGULATORY SPECIALIST
CLASSIFICATION SERIES**

I. INTRODUCTION

A. Purpose of This Classification Specification

This classification specification is the basic authority under ER 2.04, Wis. Admin. Code, for making classification decisions relative to present and future professional positions that spend the majority of time performing a variety of work related to the regulation of service providers, products, or activities. This classification specification is not intended to identify every duty which may be assigned to positions allocated to this classification series but is intended to serve as a framework for classification decision making in this occupational area.

Classification decisions must be based on the “best fit” of the duties within the existing classification structure. The “best fit” is determined by the majority (i.e., more than 50%) of the work assigned to and performed by the position when compared to the class concepts and definition of this specification or through other methods of position analysis. Position analysis defines the nature and character of the work through the use of any or all of the following: definition statements; listing of areas of specialization; representative examples of work performed; allocation patterns of representative positions; job evaluation guide charts, standards, or factors; statements of inclusion and exclusion; license or certification requirements; and other such information necessary to facilitate the assignment of positions to the appropriate classification.

B. Inclusions

This classification series encompasses positions that perform regulatory work in the areas of compliance and/or enforcement in the regulation of service providers, products, or activities. In addition, positions may be responsible for researching, developing, and/or providing training on compliance and/or enforcement standards for the assigned program area.

C. Exclusions

Excluded from this classification series are the following types of positions.

1. Positions which, for a majority of the time, are involved in the enforcement of environmental quality laws and are more appropriately classified as Environmental Enforcement Specialists.
2. Positions which, for a majority of the time, perform investigative functions relating to civil violations of state and federal laws, rules, and violations, and are more appropriately classified as Consumer Protection Investigator.
3. Positions which, for a majority of the time, (1) perform on-site surveys of nursing facilities, skilled nursing facilities, institutes for mental disease, intermediate care facilities for the mentally retarded, and facilities for the developmentally disabled, in

order to determine compliance with state licensure and federal certification requirements; or (2) provide central office consultation to health care providers and field staff, and are more appropriately classified as Health Services Specialists.

4. Positions which, for a majority of the time, evaluate facilities to determine whether the facilities qualify for licensure/certification or relicensure/certification, and are more appropriately classified as Licensing/Certification Specialists.
5. Positions which, for a majority of the time, are involved in assuring the delivery of social services and are more appropriately classified as Social Services Specialists.
6. Positions which do not perform Regulatory Specialist work for a majority of the time.
7. Positions which meet the statutory definition of supervisor or management as defined in s. 111.81(19) and (13), Wis. Stats., and as administered and interpreted by the Wisconsin Employment Relations Commission.
8. All other positions which are more appropriately identified by other classification specifications.

D. Entrance Into This Classification Series

Employees enter positions within this classification series by competition.

II. DEFINITIONS

REGULATORY SPECIALIST

Positions allocated to this classification perform regulatory work in the areas of compliance and/or enforcement in the regulation of service providers, products, or activities. Positions at this level are involved with technical compliance/enforcement activities related to inspection, investigation or highly responsible administrative paperwork (e.g., assists with or conducts investigations, performs random monitoring activities, designs surveys/studies, on-site verification tasks, etc.) for a portion of the time.

Positions may play a supporting role or provide input on program policy or administrative rules, but are not the primary person responsible for these functions.

Work is performed under general supervision. Positions assigned to this classification must perform work similar to the representative positions below:

Representative Positions:

WIC Vendor Coordinator, Division of Public Health, Department of Health Services. This position functions as the Milwaukee WIC Vendor Coordinator and performs vendor management in Milwaukee County. This position coordinates on-site verification of prices, stock levels, freshness of foods, ownership and management, and general cleanliness of stores applying for WIC vendor authorization in Milwaukee County; coordinates and conducts random monitoring and follow-up monitoring of WIC-authorized stores in the County; coordinates the training of store personnel at the time a store is authorized and reauthorized to accept WIC drafts, and when a store is found to be in violation of WIC program requirements; assists in fraud, abuse, and compliance investigations; coordinates activities of

limited term Regulation Compliance Investigators and the investigative services contractor for Milwaukee County investigations; and coordinates general activities related to WIC vendors.

Regulatory Specialist, Injured Patients and Families Compensation Fund, Office of the Commissioner of Insurance: This position ensures that health care providers comply with the health care liability insurance law. This position implements noncompliance procedures against health care providers who have not complied with the insurance provisions of Chapter 655, Wis. Stats; conducts investigations to determine status of provider insurance noncompliance; initiates the enforcement process; develops procedures for monitoring provider noncompliance; functions as the key liaison with the Medical Examining Board, of the Department of Regulation and Licensing on matters related to insurance problems; communicates to health care providers the requirements of mandatory liability insurance; assists the Fund's Chief in preparing and promulgating administrative rules and reviewing legislation affecting the Fund; prepares special reports on the status of the noncompliance of health care providers with certificate filing procedures; and provides back-up to the certificate filing function, as necessary.

Enforcement Specialist, Division of Quality Assurance, Department of Health Services: This position performs responsible administrative work related to the enforcement of state and federal codes and regulations governing the provision of health care by health care providers. This position effectively recommends forfeiture assessments against deficient nursing homes, facilities for the developmentally disabled, and hospices; implements forfeiture actions; prepares forfeiture case summaries for legal counsel; develops and implements procedures for forfeiture assessment; reviews and monitors survey reports; researches, designs, and conducts studies for the purpose of updating and enhancing the Division of Quality Assurance's ability to meet program survey, certification, and enforcement requirements; and participates in bureau-level, divisional, and departmental initiatives on health care provider issues, rules, policies, and procedures development.

WIC Vendor Compliance Specialist, Division of Public Health, Department of Health Services: This position administers vendor monitoring and compliance activities, on a statewide basis, for the purpose of minimizing financial loss due to vendor fraud. This position maintains and manages a program to sanction fraudulent and abusive vendors; directs investigative activities through state or contracted investigative service agencies; maintains methods and procedures to identify high-risk vendors through automated methods; manages and directs statewide vendor relations activities for the WIC Program to ensure compliance with applicable state and federal regulations, the provision of quality services for WIC participants, and efficient and effective program management; and directs the development, maintenance, and ongoing program management for the routine monitoring of vendors.

Registry Compliance Specialist for the Asbestos/Lead Section, Division of Public Health, Department of Health Services: This position manages and assesses registry certification (licensure), notification and lead-free/lead-safe property certificate operations relating to target housing and child-occupied facilities; identifies and resolves registry programmatic issues and inconsistencies; provides technical assistance to affected parties; reviews, evaluates and documents registry trends and impacts; and recommends revisions to Ch. HFS 163, Wis. Adm. Code.

REGULATORY SPECIALIST - SENIOR

Positions allocated to the Regulatory Specialist - Senior level differ from those at the lower level because these positions administer regulatory compliance programs with the broadest scope and impact and greatest complexity; the greater complexity of the program knowledge required; the larger number and variety of programs administered; the greater complexity of the regulatory program laws, rules, and guidelines; and the higher level of difficulty in interpreting those guidelines.

Positions at this level develop, implement, evaluate, revise, and administer policies and procedures for the regulatory compliance program; develop or coordinate the development of statutory language and administrative rules for the program; and may lead the work of other staff who perform certification, compliance and regulatory program duties.

In order to be appropriately classified at this level, positions must spend the majority of their time on professional Regulatory Specialist duties which are of similar scope, impact, and complexity as the positions identified at this classification level. Work is performed under general supervision.

Representative Positions:

Licensing Compliance Specialist, Division of Early Care and Education, Department of Children and Families: This position coordinates and implements regulation policies and procedures related to licensing, compliance, enforcement, complaint and death investigation, quality improvement and assurance, and other regulatory policies and procedures for all children's facilities regulated by the Bureau of Early Care Regulation. This position develops, implements, evaluates, revises, and administers policies and procedures for enforcement action, including license denials, revocations, nonrenewals, orders and forfeitures, complaint and death investigations, licensing standards and compliance procedures, and other policies such as criminal record checks that apply to all licensed group and family day care centers, day camps, child care institutions, group foster homes, shelter care facilities, and child placement agencies; manages the development and revision of administrative rules, statutory proposals, policies, procedures, manuals, and the automated regulatory system; provides leadership for licensing and regulating group and family day care, children's residential, and child welfare programs, and areas related to program compliance, enforcement, and complaints; and develops and provides training for licensing staff on issues related to compliance, enforcement, monitoring and supervision, complaint investigation policies and procedures, and quality improvement and assurance.

Regulatory and Compliance Specialist, Bureau of Consumer Protection, Department of Agriculture, Trade and Consumer Protection: This position assists in the management of the agency's statewide regulatory and compliance activities relating to mobile air conditioners and products made with or containing ozone-depleting substances; provides guidance to field inspection staff and program support staff; and coordinates the program and its policies with federal, state, and local agencies. This position develops, coordinates, and oversees implementation of effective regulatory compliance and enforcement plans and procedures; organizes and coordinates inspection, investigative, and administrative workloads of section staff; monitors compliance and enforcement issues which may need policy, procedural, rule, or legislative changes; coordinates and consults with state and federal authorities to facilitate effective management and operation of the program's regulatory responsibilities; serves as the primary program contact for information related to the regulatory responsibilities; and assists in the coordination and conduct of various compliance and enforcement activities on environmental and product safety issues, including responsibilities under Chapter 100, Wis. Stats. This position also coordinates the Division of Trade and Consumer Protection's legislation and rule-making activities, and analyzes policy, budgetary, regulatory, administrative, program and other issues specifically affecting the Environment and Product Safety Section and generally affecting the Division.

Asbestos Certification and Training Specialist, Division of Public Health, Department of Health Services: This position develops and coordinates the certification notification and enforcement activities of the Certification and Training Accreditation Program in the Asbestos Unit by managing the Wisconsin Asbestos Information Network (WAIN); manages the compliance activities and enforcement actions in HSS 159, subch I and II; and evaluates training material; audits courses/instructors for accreditation.

Asbestos/Lead Registry Compliance Coordinator, Division of Public Health, Department of Health Services. This position is responsible for functioning as the lead staff person in the Asbestos/Lead

Section in coordinating the statewide activities of staff involved in the enforcement of registry related certification (licensure), notification and work-site practices; monitoring for compliance in the issuance of lead-free and lead-safe certificates; overseeing and initiating enforcement actions necessary in response to non-compliance of registry requirements; and coordinating and overseeing section staff supporting registry functions and field compliance inspection activities authorized by s. 254.11 to 254.30 Wis. Stats., and Ch. HFS 163, Wis. Adm. Code.

Enforcement Specialist - Senior, Division of Quality Assurance, Department of Health Services: This position has statewide responsibility for the enforcement of state and federal codes and regulations governing the provision of health care by nursing homes and facilities (providers) serving persons with developmental disabilities. This position performs more complex forfeitures, quality assurance survey reports, and is more involved with legal issues and policy/procedural changes. This position coordinates staff activities to ensure quality assurance review of survey reports; develops complex forfeiture assessments against the most seriously deficient providers; works with the Office of Legal Counsel to develop precedent-setting negotiated settlement agreements and prepares case summaries for legal action including preparing testimony for administrative hearings. This position works with facilities statewide in the development of action plans to monitor ongoing compliance; recommends the hiring of consultants; conducts training assessment of staff, and recommends purchase of equipment and/or training materials. The position provides expert consultation to rule-making and statutory changes and sets policies and procedures for the statewide enforcement program for the providers.

WIC Vendor Compliance Specialist - Senior, Division of Public Health, Department of Health Services. This position administers vendor monitoring and compliance activities, on a statewide basis, for the purpose of minimizing financial loss due to vendor fraud. This position develops, maintains, and manages a program to sanction fraudulent and abusive vendors; initiates, pursues and finalizes enforcement action in conjunction with legal staff; prepares legal documents for administrative and criminal cases; directs investigative activities through state or contracted investigators; recruits, hires, trains and maintains contracts of hired investigators; develops and maintains methods and procedures to identify high-risk vendors through automated methods; reviews, updates, develops and implements policies and procedures to ensure consistent statewide compliance actions; manages and directs statewide vendor relations activities for the WIC Program to ensure compliance with applicable state and federal regulations, the provision of quality services for WIC participants, and efficient and effective program management; and directs the development, maintenance, and ongoing program management for the routine monitoring of vendors.

III. QUALIFICATIONS

The qualifications required for these positions will be determined at the time of recruitment. Such determinations will be made based on an analysis of the goals and worker activities performed, and by an identification of the education, training, work, or other life experiences which would provide reasonable assurance that the knowledge and skills required upon appointment have been acquired.

IV. ADMINISTRATIVE INFORMATION

This classification series was created to describe positions which perform regulatory work in the areas of compliance and/or enforcement. This classification series was created as a result of the Professional Program Support Personnel Management Survey, was made effective August 3, 1997, and was announced in Bulletin CC/SC-68. The series was modified effective June 21, 1998, and announced in Bulletin CC/SC-89, in order to expand the Regulatory Specialist 3 definition to include the positions which function as: Manager, Milk Certification Program; Milwaukee Child Welfare System Specialist; and Asbestos Certification and Training Specialist. Positions allocated to this classification series were previously classified as Administrative Assistant 3, 4, and 5. The series was again modified effective February 14, 1999 to expand the Regulatory Specialist 3 definition to include the position which functions as Compliance Specialist in the Division of Food Safety at the Department of Agriculture, Trade and Consumer Protection (See Bulletin CLR/SC-96). This classification series was modified effective February 11, 2001 and announced in Bulletin CLR/SC-126 to add two allocations at the Regulatory Specialist 3 level for positions within the Department of Health and Family Services and to add class level definitions for all three levels.

This classification series was collapsed and created effective May 18, 2003 and announced in Bulletin MRS-SC-158 as a result of the WPEC Broadbanding and Class Collapsing Study. The classification was modified effective November 9, 2008 and announced in bulletin OSER-0231-MRS/SC as a result of the creating of the Department of Children and Families and the movement of some functions to that department, the renaming of and reorganization of the DHFS to the Department of Health Services, and to allow use of the class specification by any agency who may have or need to develop positions that meet the Regulatory Specialist definition and are not a better fit in another compliance or enforcement job title.

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