



STATE OF OREGON
POSITION DESCRIPTION

Position Revised Date:
11/8/2024

This position is:

- Classified
Unclassified
Executive Service
Mgmt. Svc – Supervisory
Mgmt. Svc – Managerial
Mgmt. Svc - Confidential

Agency: Department of Consumer & Business Services

Facility: Labor & Industries Building

New Revised

SECTION 1. POSITION INFORMATION

a. Classification Title: Insurance Examiner
b. Classification No: C5748
c. Working Title: Insurance Examiner
d. PPDB No/WD ID: 0001.086
e. Section Title: DFR – PBM Compliance
f. Agency No: 44000
g. Employee Name:
h. Budget Auth No: 1440273
i. Supervisor Name: Keith Turner
j. Repr. Code: OAS
k. Work Location (City – County): Salem – Marion

I. Position: Permanent Seasonal Limited Duration Academic Year
Full-Time Part-Time Intermittent Job Share

m. FLSA: Exempt Non-Exempt
If Exempt: Executive/Supervisory Administrative Professional Computer
n. Eligible for Overtime: Yes No

SECTION 2. PROGRAM AND POSITION INFORMATION

a. Describe the program in which this position exists. Include program purpose, who's affected, size, and scope. Include relationship to agency mission.

The Department of Consumer and Business Services (DCBS) is Oregon's largest business regulatory and consumer protection agency. The department administers state laws and rules to protect consumers and workers in the areas of workers' compensation, occupational safety and health, financial services, insurance and building codes.

DCBS consists of the Workers' Compensation Division; Oregon Occupational Safety and Health Division; Division of Financial Regulation; Building Codes Division; Small Business Ombudsman; and Ombudsman for Oregon Workers. The department provides shared services to all divisions through the Director's Office and Central Services Division. The department also provides shared services to the Workers' Compensation Board. DCBS employs 950 employees and has a biennial operating budget of approximately \$685 million.

The Pharmacy Benefit Manager (PBM) Compliance Unit is responsible for monitoring insurers and the third-party administrators (TPAs) who contract with them to provide benefits (such as PBMs) for compliance with the Insurance Code and other applicable laws. The team receives and works complaints, conducts targeted examinations, and investigates alleged violations of law. It also conducts market analyses to assess compliance, understand emerging issues, and market trends. Team members work closely with other teams to share information, develop strategies, and inform and shape division-wide policy.

b. Describe the primary purpose of this position, and how it functions within this program. Complete this statement. The primary purpose of this position is to:

Independently conduct market analysis and targeted examinations on insurers and the third-party administrators (TPAs) who contract with them to provide benefits (such as PBMs) for the purpose of determining statutory compliance and maintaining surveillance over the market conduct of insurers and PBMs. Use professional judgement and industry expertise to identify and highlight areas of concerning conduct, documenting such findings in reports for leadership review.

SECTION 3. DESCRIPTION OF DUTIES

List the major duties of the position. State the percentage of time for each duty. Mark “N” for new duties, “R” for revised duties or “NC” for no change in duties. Indicate whether the duty is an “Essential” (E) or “Non-Essential” (NE) function.

| % of Time | N/R/NC | E/NE | DUTIES |
|-----------|--------|------|---|
| Ongoing | | | <ul style="list-style-type: none"> Perform position duties in a manner which promotes customer service and harmonious working relationships, including treating all persons courteously and respectfully. Engage in effective team participation through willingness to assist and support co-workers, supervisors, and other work-related associations. Develop good working relationships with division and agency staff and supervisors through active participation in accomplishing group projects and in identifying and resolving problems in a constructive manner. Demonstrate openness of constructive feedback and suggestions, in an effort to strengthen work performance. Contribute to a positive, respectful and productive work atmosphere. Foster and promote the importance and value of a diverse, discrimination and harassment free workplace. Respect diversity of opinions, ideas, and cultural differences. Support outreach and diversity related efforts in order to diversify the workforce. Regular attendance is an essential function required to meet the demands of this job and to provide necessary services. |
| 45 | N | E | <p>Market examinations Perform examinations of insurers or insurer PBMs records for the purpose of determining company compliance, by:</p> <ul style="list-style-type: none"> Obtaining an understanding of the company to be examined by reviewing corporate records, previous examination reports, Division of Financial Regulation records and any available industry databases Develop an overall examination plan and design specific procedures and tests to be accomplished in order to achieve examination objectives Contacting management of the company under examination to discuss the scope of the examination, work space, access to records and staff and answer questions about the examination process. |

| | | | |
|------|---|---|---|
| | | | <ul style="list-style-type: none"> Analyze and create findings report on internal controls and operational procedures of the company under examination Analyze and create findings report on contracts between PBMs and pharmacies Develop findings report and conclusions identifying work accomplished, achievement of audit objectives, condition, criteria, cause, effect and recommendation of corrective action Conducting or participating in the exit conference with the company under examination, discussing unresolved issues and present summaries of conclusions drawn in the course of the examination Draft recommended action plan that addresses compliance issues for leadership consideration Investigating violations of the Oregon Insurance Code and submitting documented findings for enforcement actions Monitoring changes to existing laws and propose changes to internal examination procedures and market regulation handbook |
| 45 | N | E | <p>Market analysis Perform market analysis on insurers or insurer PBMs in response to consumer complaints, industry complaints, or other compliance activities, by:</p> <ul style="list-style-type: none"> Develop, implement, maintain and query databases used in market analysis to identify companies that are not meeting consumers' needs and recommend the Division take appropriate action as problems are identified Analyze the data collected in the annual pharmacy benefit manager reporting Monitor health industry trends, analyze the impacts those trends will have on consumers and the insurance marketplace and coordinate the necessary efforts within the division to monitor and manage identified trends Document all aspects of the analysis in files maintained by the analyst Prepare summaries of important findings and make recommendations resulting from the analysis to the PBM Compliance Manager |
| 5 | N | E | Other duties as assigned by the PBM Compliance Manager |
| 5 | N | E | <p>Maintain a written desk manual that documents:</p> <ul style="list-style-type: none"> Work topics handled by the position Procedures relied on to execute the work Key contacts, resources, stakeholders relied on to execute the work |
| 100% | | | |

SECTION 4. WORKING CONDITIONS

Describe any on-going working conditions. Include any physical, sensory, and environmental demands. State the frequency of exposure to these conditions.

Hybrid work environment that include coordinating with coworkers and stakeholders virtually and in-person daily

Occasional exposure to uncooperative or belligerent persons over the telephone and in person; Requires reliable transportation

Occasional overnight travel

SECTION 5. GUIDELINES

a. List any established guidelines used in this position, such as state or federal laws or regulations, policies, manuals, or desk procedures.

- Oregon Insurance Code (ORS 705-750 and 646A)
- Other related Oregon Statutes (e.g. DMV, Property Law, Workers Compensation, Public Employees Rights and Benefits)
- Administrative Rules and Division Bulletins
- Federal publications from agencies including but not limited to Center for Medicare and Medicaid Services, Department of Health and Human Services, Internal Revenue Code, Bureau and Department of Labor
- NAIC Model Regulations and Guidelines
- NAIC Market Regulation Handbook
- NAIC Examiners' Handbook
- National Association of Security Dealers Notice to Members
- U.S. Department of Treasury Regulations,
- Insurance industry publications
- Medical terminology, Diagnostic and Statistical Manual, CPT, ICD, and HCPCS coding books, various weekly and monthly industry publications
- Division interpretation files

b. How are these guidelines used?

Position requires a working knowledge of the above documents. Reference is made to them to advise insurance companies or PBMs and their professional personnel that the filings are either in compliance or the amendments that must be made to bring the filings into compliance.

This position requires technological skills including computer proficiency in Microsoft Office suite (Word, Excel, PowerPoint), web-based video platforms (Teams, Zoom, Webex), Adobe Acrobat, ORACLE, e-mail systems, SERFF, CARFRA, NAIC systems such as SBS, iSite, Teammate and other NAIC systems as required.

SECTION 6. WORK CONTACTS

With whom, outside of co-workers in this work unit, must the employee in this position regularly come in contact?

| Who Contacted | How | Purpose | How Often? |
|---|---|--|------------|
| Consumers, Insurer officers, PBM officers | Letter, Phone, Visit, Email, Video Chat | Answer questions about applicability of state law and address any instances of non-compliance. | Weekly |
| Company compliance officers, Attorneys, and other positions responsible for compliance. | Letter, Phone, Visit, Email, Video Chat | Ask/answer questions about an insurers compliance with a regulation. Require insurers to modify behavior for compliance. | Daily |

Note: If additional rows of the below table are needed, place cursor at end of a row (outside table) and hit "Enter".

| | | | |
|------------------------|---|--|-----------|
| National Organizations | Letter, Phone, Visit, Email, Video Chat | Ask/answer contractual/legal questions, determine actions of other states. | As Needed |
| Providers | Letter, Phone, Visit, Email, Video Chat | Ask/answer contractual/legal questions, determine if there are any potential violations of the insurance code. | As Needed |

SECTION 7. POSITION RELATED DECISION MAKING

Describe the typical decisions of this position. Explain the direct effect of these decisions.

This position will make independent determinations, or in conjunction with others in the division if insurer and/or product (a) comply with statutory requirements, (b) must have corrective action to correct noncompliance, or (c) should be referred for enforcement consideration. Inappropriate decisions may result in failure to protect the insurance buying public.

SECTION 8. REVIEW OF WORK

Who reviews the work of the position?

| Classification Title | Position Number | How | How Often | Purpose of Review |
|----------------------|-----------------|-----|-----------|-------------------|
|----------------------|-----------------|-----|-----------|-------------------|

Note: If additional rows of the below table are needed, place cursor at end of a row (outside table) and hit "Enter".

| | | | | |
|-------------------------------------|----------|-------------------------------------|-----------|--------------------------------|
| Compliance and Regulatory Manager 2 | 0001.085 | In person, phone, email, video chat | As needed | Ensure quality of work product |
|-------------------------------------|----------|-------------------------------------|-----------|--------------------------------|

SECTION 9. OVERSIGHT FUNCTIONS THIS SECTION IS FOR SUPERVISORY POSITIONS ONLY

a. How many employees are directly supervised by this position? _____
 How many employees are supervised through a subordinate supervisor? _____

- b. Which of the following activities does this position do?
- | | |
|--|---|
| <input type="checkbox"/> Plan work | <input type="checkbox"/> Coordinates schedules |
| <input type="checkbox"/> Assigns work | <input type="checkbox"/> Hires and discharges |
| <input type="checkbox"/> Approves work | <input type="checkbox"/> Recommends hiring |
| <input type="checkbox"/> Responds to grievances | <input type="checkbox"/> Gives input for performance evaluations |
| <input type="checkbox"/> Disciplines and rewards | <input type="checkbox"/> Prepares & signs performance evaluations |

SECTION 10. ADDITIONAL POSITION-RELATED INFORMATION

ADDITIONAL REQUIREMENTS: List any knowledge and skills needed at time of hire that are not already required in the classification specification:

This position is eligible for remote work full-time, once the incumbent has gained the proficiency to perform work independently. The incumbent may occasionally be asked to work from the office on an as-needed basis. The incumbent will be responsible for transportation costs for reporting to their designated office site.

Position requires excellent oral and written communication and inter-personal skills, ability to work alone and as a team member and to be a strong self-starter.

Per ORS 731.228 no Division employee shall be a director, officer, or employee of or be financially interested in any person regulated by the insurance code, except as a policyholder or claimant under an insurance policy or by rights vested in commission, fees, or retirement benefits prior to being employed with the division.

As an employee, you must comply with the Oregon government ethics laws, ORS 244.010 – 244.280, and DCBS Policy EMP-01, Ethics and Conflict of Interest

Special Requirements:

Position is subject to a criminal background check.

Position is required to successfully complete and maintain the certification of Accredited Insurance Examiner (AIE) within 30 months of obtaining the position.

Position may be required to travel for exams, reliable transportation is required.

Requires knowledge of industry patterns and trends in regard to products, marketing practices, pricing structures and investment practices. The ability to assess and coordinate actuarial memorandum with the forms. This requires the understanding of reserving requirements, pricing components, financing and delivery of products, rating and underwriting structures, industry patterns, trends, and marketing practices.

BUDGET AUTHORITY: If this position has authority to commit agency operating money, indicate the following:

| Operating Area | Biennial Amount (\$00000.00) | Fund Type |
|--|------------------------------|-----------|
| <i>Note: If additional rows of the below table are needed, place curser at end of a row (outside table) and hit "Enter".</i> | | |
| | | |
| | | |
| | | |

SECTION 11. ORGANIZATIONAL CHART

Attach a current organizational chart. Be sure the following information is shown on the chart for each position: classification title, classification number, salary range, employee name and position number.

SECTION 12. SIGNATURES

| | | | |
|---|---------------|-------------------------------|---------------|
| _____ Employee Signature | _____ Date | _____ Supervisor Signature | _____ Date |
| _____ Appointing Authority Signature | _____ Date | | |