



**STATE OF NEW JERSEY**

In the Matter Kimberly Liano,  
Quality Assurance Specialist, Health  
Services (PS4301K), Department of  
Human Services

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

CSC Docket No. 2020-1159

Request for Reconsideration

**ISSUED:** December 23, 2019 (BS)

Kimberly Liano requests reconsideration of the attached Final Administrative Determination of the Civil Service Commission, rendered on September 27, 2019, which upheld the determination that she did not meet the requirements for the promotional examination for Quality Assurance Specialist, Health Services (PS4301K), Department of Human Services. A copy of that decision is attached hereto and incorporated herein.

By way of background, a promotional examination for Quality Assurance Specialist, Health Services (PS4301K) was announced with education and experience requirements which had to be met as of the announced April 23, 2018 closing date. The petitioner filed an application on which she indicated that she possessed a Bachelor's degree and one month of applicable experience as a provisional Quality Assurance Specialist, Health Services. This is the only position the appellant listed or described on the application she submitted. No supplemental information was submitted before the April 23, 2018 closing date. Consequently, she failed to establish her eligibility for the subject promotional examination.

On appeal, the petitioner argued that she satisfied the subject requirements and submitted a resume with positions listed that she failed to include with her original application submission by the announced closing date. The appellant further argued that "there were significant technical issues with the website" the evening she completed her application and that she submitted a resume and transcript but that her receipt did "not indicate whether or not the document upload

was or was not successful.” Although on appeal the appellant claimed to have experienced “technical difficulties,” none were reported by Agency Services and the Commission notes that out of the 64 who filed on-line applications, 38 were able to establish their eligibility to sit for the subject promotional examination.

In its September 27, 2019 Final Administrative Determination, the Civil Service Commission reviewed petitioner’s original application and the resume submitted with her appeal and concluded that the petitioner’s experience as a Habilitation Plan Coordinator did not rise to the level and scope that required of the subject position. Additionally, the petitioner’s experience as a School Program Coordinator did not involve any applicable responsibilities. Neither of these positions were listed in the petitioner’s original application submission. Consequently, the Commission concluded that the petitioner failed to satisfy the subject requirements.

In her petition for reconsideration, the petitioner submits the same information previously considered by the Commission. In support of her petition, the petitioner also submits an email from CSC Information Support, dated October 4, 2019, indicating that supplemental documentation had been received by the Commission and that her application submission had been successful.

### CONCLUSION

*N.J.A.C. 4A:2-1.6(b)* sets forth the standards by which a prior decision may be reconsidered. This rule provides that a party must show that a clear material error has occurred or present new evidence or additional information not presented at the original proceeding which would change the outcome of the case and the reasons that such evidence was not presented at the original proceeding.

*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 instant matter, the record demonstrates that, as of the April 12, 2018 closing date, the petitioner failed to satisfy the subject examination requirements. Although the petitioner claims to have submitted a resume with her original application and presents an email from the Commission stating that additional information was received and that her original application had been submitted successfully, Commission records indicate that the petitioner’s supplemental submission consisted of a transcript and a photocopy of her college degree only. No resume was received by the announced closing date. As part of the original review process, the Commission reviewed the resume the petitioner submitted on appeal and concluded that, even had she submitted the resume by the closing date, she still would not have satisfied the subject experience requirements. Accordingly, the Commission finds that the petitioner has failed to satisfy the standard put forth

above in *N.J.A.C. 4A:2-1.6(b)* and finds no basis to disturb its September 27, 2019 Final Administrative Determination.

**ORDER**

Therefore, it is ordered that this request for reconsideration 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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Deirdre L. Webster Cobb,  
Chairperson, Civil Service Commission

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Attachment

c: Kimberly Liano  
Lori Mattozzi  
Kelly Glenn



STATE OF NEW JERSEY

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	:	<b>FINAL ADMINISTRATIVE ACTION</b>
	:	<b>OF THE</b>
In the Matter Kimberly Liano,	:	<b>CIVIL SERVICE COMMISSION</b>
Quality Assurance Specialist, Health	:	
Services (PS4301K), Department of	:	
Human Services	:	
	:	
	:	Examination Appeal
CSC Docket No. <del>2018-056</del>	:	
2019-1428	:	
	:	

ISSUED: September 27, 2019 (BS)

Kimberly Liano appeals the determination of the Division of Agency Services which found that she did not meet the requirements for the promotional examination for Quality Assurance Specialist, Health Services (PS4301K), Department of Human Services.

The promotional examination at issue was announced with education and experience requirements which had to be met as of the announced April 23, 2018 closing date. Specifically, applicants were required to possess 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. Additionally, a Bachelor's degree, and 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, may be substituted for the above license and experience requirements. The promotional announcement also stipulated that a Master's degree in Public Health or a health care related field could be substituted for one year of indicated specialized experience. Civil Service records indicate that there are 38 qualified applicants waiting for a promotional examination to be scheduled.

The appellant filed an application on with she indicated that she possessed a Bachelor's degree and one month of applicable experience as a provisional Quality

Assurance Specialist, Health Services. This is the only position the appellant listed or described on the application she submitted. No supplemental information was submitted before the April 23, 2018 closing date. Consequently, the Division of Agency Services found the appellant lacked three years and 11 months of the required experience and concluded that the appellant was ineligible for the subject promotional examination.

On appeal, the appellant argues that she satisfies the subject requirements. She asserts that, in addition to her experience as a provisional Quality Assurance Specialist, Health Services, she also served as a Habilitation Plan Coordinator since 2012 which included monitoring and evaluating clinical and human service records and programs including allegations of abuse, neglect, and exploitation ensuring the health, safety, and well-being of clients. The appellant indicated that she had previously been found eligible for the Principal Community Program Specialist examination "which had similar requirements." The appellant argued that "there were significant technical issues with the website" the evening she completed her application and that she submitted a resume and transcript but that her receipt did "not indicate whether or not the document upload was or was not successful." The appellant argued that in addition to her Bachelor's degree, she possessed six years of experience in "providing habilitative and social services to developmentally disabled clients."

## CONCLUSION

*N.J.A.C.* 4A:4-2.6(a) provides that applicants for promotional examinations shall meet all requirements in the promotional examination by the announced closing date, including submitting an application on or before the announced application filing date. Pursuant to *N.J.A.C.* 4A:4-2.1(f), any supplemental information received after the closing date cannot be considered. *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 instant matter, the record demonstrates that, as of the April 12, 2018 closing date, the appellant satisfied the educational requirement and possessed one month of applicable experience as a provisional Quality Assurance Specialist, Health Services. This is the only position listed on the appellant's application. The Commission notes that instructions for completing and submitting online applications and supplemental information are clearly featured in the Online Application User System Guide. Changes to an application or additional information must be mailed to the Civil Service Commission by the announced closing date, in this case April 23, 2018.

Although on appeal the appellant claimed to have experienced "technical difficulties," none were reported by Agency Services and the Commission notes that

out of the 64 who filed on-line applications, 38 were able to establish their eligibility to sit for the subject promotional examination. The Commission further notes that even if the appellant had provided a description of her experience as a Habilitation Plan Coordinator by the announced closing date, the duties she described did not rise to the level and scope of those required of the subject position. The appellant's additional experience as a School Program Coordinator did not involve any applicable responsibilities. Additionally, on appeal the appellant also argued that she had previously been admitted to an examination for Principal Community Program Specialist examination "which had similar requirements." However, since each examination is announced as a separate entity, an applicant's status for one examination has no bearing on another. Accordingly, the Commission finds that the appellant was correctly deemed ineligible for the subject promotional examination.

### ORDER

Therefore, it is ordered that this appeal 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 27TH DAY OF SEPTEMBER, 2019

*Deirdre L. Webster Cobb*

Deirdre L. Webster Cobb,  
Chairperson, Civil Service Commission

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