

Duty Statement
Department of Managed Health Care

OFFICE: Office of Legal Services, Division of Legislation and Regulations	EFFECTIVE DATE:
CLASSIFICATION: Attorney III	DATE APPROVED: April 12, 2024
POSITION: 409-461-5795-921	TELEWORK DESIGNATION: <i>Remote-Centered</i>
WORKING TITLE: Legislation and Regulations Attorney III	

DEPARTMENT OBJECTIVE:

The mission of the California Department of Managed Health Care (DMHC) is to protect consumers’ health care rights and ensure a stable health care delivery system. The DMHC accomplishes its mission by ensuring the health care system works for consumers. The Department protects the health care rights of more than 29.7 million Californians by regulating health care service plans, assisting consumers through a consumer Help Center, educating consumers on their rights and responsibilities, and preserving the financial stability of the managed health care system.

PROGRAM OBJECTIVE:

The objective and mission of the Office of Legal Services (OLS) is to set standards of consistency, efficiency, and transparency for the managed health care marketplace. The OLS provides legal and policy advice to the Director, Chief Deputy Director, Deputy Directors, and programs of the DMHC, and recommends and develops necessary and appropriate statutes and regulations to administer the Knox-Keene Act. OLS analyzes the Knox-Keene Act and ensures that the DMHC fulfills its regulatory functions.

General Description:

Under direction of the Assistant Chief Counsel, OLS, Division of Legislation and Regulations, the incumbent is responsible to effectively perform more sensitive and complex legal work of the DMHC with broad discretion and independence with a minimum of supervision to include: analyzing legislation for legal issues, drafting proposed legislation, acting as a liaison to the Legislature and legislative staff on behalf of the Department and advising the Department on any and all legislative matters relating to the Knox-Keene Health Care Service Plan Act of 1975 (as amended) and the jurisdiction of the DMHC.

TYPICAL DUTIES:

Employee must be able to perform the following duties with or without reasonable accommodation.

PERCENTAGE **JOB DESCRIPTION**

Essential (E)/Marginal (M)

- | | |
|----------------|---|
| 40% (E) | Conduct more sensitive and complex legal analysis of federal and state legislative proposals and regulations, and of issues and topics relevant to legislation related to the Department and its regulation of health plans to draft memoranda, opinions, proposed bill language, proposed regulation packages, and other documents reflecting legal conclusions and considerations on legislative and regulatory matters. |
| 30% (E) | Conduct more complex legal research of federal and state laws, and regulations on issues and topics relevant to legislation, legislative proposals, case laws and secondary sources as these relate to the Department and its regulation of health plans to identify impact to the Department and the health care industry and provide legal counsel via verbal and written analysis. Draft documents and correspondence reflecting legal recommendations on legislative matters or conclusions on pertinent issues. Apply expert knowledge of the Knox-Keene Act and general health care law while conducting such research. |
| 15% (E) | Represent the Department as a liaison to coordinate with the Legislature, other state agencies and stakeholder groups on legislative and other regulatory matters including working with other professionals in providing timely bill analyses and advising executive management on all legislative matters relating to the Knox-Keene Act; make daily telephone and correspondence responses to queries from the public, other public agencies, the Administration and Legislature. |
| 10% (E) | Coordinate and communicate verbally and in writing with other DMHC offices, other state and federal agencies, stakeholder groups, and others on DMHC related matters including legislative and regulatory proposals, interpretations of law, and policy issues to accomplish the purposes and goals of the DMHC. |
| 5% (M) | Perform research, analyses or conduct special projects, as assigned, and other duties, as required. |

SUPERVISION EXERCISED OVER OTHERS:

The Attorney III position is not a supervisory position. However, the incumbent may be asked to act as lead on certain projects.

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KNOWLEDGE, ABILITIES AND ANALYTICAL/SUPERVISORY REQUIREMENTS:

The employee should be familiar with DMHC mission, goals, organizational structure, and major work programs. The employee must also have a demonstrated positive attitude and a commitment to conduct business in a professional manner in dealing with the public and department clients and provide quality customer service to all customers, and be able to deal tactfully, professionally, and confidentially with all internal and external customers and contacts. In addition, the employee must:

Have knowledge of legal research methods and performing research; legal principles and their application; scope and character of California statutory law and of the provisions of the California Constitution; principles of administrative and constitutional law; trial and hearing procedure; and rules of evidence; court procedures; administrative law and the conduct of proceedings before administrative bodies; legal terms and forms in common use; statutory and case law literature and authorities; and provisions of laws and Government Code sections administered or enforced.

Have the ability to research; analyze, appraise, and apply legal principles, facts, and precedents to legal problems; analyze situations accurately and adopt an effective course of action; prepare and present statements of fact, law, and argument clearly and logically in written and oral form; prepare correspondence involving the explanation of legal matters; draft opinions, pleadings, rulings, regulations, and legislation; negotiate effectively and conduct crucial litigation; work cooperatively with a variety of individuals, organizations and maintain the confidence and respect of others; and work effectively under pressure.

CONSEQUENCE OF ERROR/RESPONSIBILITY FOR DECISIONS:

The employee may have access to very sensitive and confidential information. Careless, accidental, or intentional disclosure of information to unauthorized persons can have far-reaching effects, which may result in civil or criminal action against those involved.

PHYSICAL, MENTAL AND EMOTIONAL REQUIREMENTS:

Employees may be required to sit for long periods of time using a keyboard and video display terminal or traveling in a vehicle to other locations; must be able to organize and prioritize their work under deadline situations and adapt behavior and work methods in response to new information, changing conditions or unexpected obstacles; will be involved with sustained mental activity needed for analysis, reasoning and problem solving; must be able to develop and maintain cooperative working relationships, recognize emotionally charged issues, problems or difficult situations and respond appropriately, tactfully and professionally; and must be able to work independently. The employee must be able to create/proactively support a work environment that encourages creative thinking and innovation; understand the importance of good customer services and be willing to develop productive partnerships with managers, supervisors, other employees, and, as required, control agencies and other departments.

WORK ENVIRONMENT:

The DMHC utilizes a hybrid telework model to provide all employees with an avenue to telework while ensuring business and operational needs are met.

Remote-Centered employees are expected to maintain a safe and distraction free work environment at the approved alternate work location. Remote-Centered employees agree to

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adhere to the state telework policy, the DMHC’s telework policy, and conditions cited in the Telework Agreement (STD 200).

Office-Centered employees are expected to maintain a dedicated workstation at a DMHC official worksite. Office-Centered employees are expected to work in a climate-controlled office or cubicle under artificial lighting.

This position is eligible for a hybrid telework schedule under Government Code 14200. Under the Department of Managed Health Care’s (DMHC) current hybrid telework policy, employees may be required to report in-person to the office two times per week and will be required to utilize a shared or “hotel” workspace. Employees may also be required to report in person more frequently as determined by management, which may include working at a DMHC designated headquarters and/or offsite events or locations. Employees must work from a location within California while employed at the DMHC.

POSITION REQUIREMENTS:

This position requires the incumbent maintain consistent and regular attendance; communicate effectively (orally and in writing if both appropriate) in dealing with the public and/or other employees; develop and maintain knowledge and skill related to specific tasks, methodologies, materials, tools, and equipment; complete assignments in a timely and efficient manner; and adhere to departmental policies and procedures regarding attendance, leave, and conduct.

Note: Any business travel reimbursements will be done in accordance with the approved applicable Memorandum of Understanding (MOU).

ADDITIONAL REQUIREMENTS:

This position is required under the DMHC’s Conflict of Interest Code to complete and file a Form 700 within 30 days of appointment and annually thereafter.

SIGNATURES:

The statements contained in this duty statement reflect details as necessary to describe the principal functions of this job. It should not be considered an all-inclusive listing of work requirements. Individuals may perform other duties as assigned, including work in other functional areas to cover absence of relief, to equalize peak work periods or otherwise to balance the workload.

Employee: I have read and understand the duties listed above and can perform them with/without Reasonable Accommodation (RA). *(If you believe you may require Reasonable Accommodation, please discuss this with the hiring supervisor. If you are unsure whether you require Reasonable Accommodation, inform the hiring supervisor, who will discuss your questions and/or concerns with the RA Coordinator.)*

Supervisor: I have discussed the duties with and provided a copy of this duty statement to the employee named above.

EMPLOYEE NAME (PRINT)		SUPERVISOR NAME (PRINT)	
Employee’s Signature	Date	Supervisor’s Signature	Date