

Duty Statement

Department of Managed Health Care

CLASSIFICATION: Attorney IV	POSITION: 409-461-5780-005	
WORKING TITLE: Attorney IV	OFFICE: Office of Legal Services Division of Legislation and Regulations	EFFECTIVE DATE: DATE APPROVED: 9/22/2021

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 27.7 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 the general direction of the Assistant Chief Counsel, Office of Legal Services, Division of Legislation and Regulations, the incumbent is responsible for effectively performing the more sensitive and complex legal work of the DMHC, with emphasis on regulations. The incumbent will work with broad discretion and independence. The incumbent is expected to be an expert in providing the legal functions necessary to administer the statutes and regulations authorized by the Knox-Keene Health Care Service Plan Act of 1975 (Knox-Keene Act) and in interpreting the laws contained within the Act to ensure that the DMHC is in compliance with relevant California law.

TYPICAL DUTIES:

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

PERCENTAGE **JOB DESCRIPTION**

Essential (E)/Marginal (M)

- 35% (E) Perform the most difficult and complex legal research and opinion drafting necessary to make specific recommendations to the DMHC executive and office management to successfully implement the broad range of changing requirements in the Knox-Keene Act, the Affordable Care Act, and other related state and federal laws.

- 30% (E) Independently plan, organize, and draft the most difficult regulations and All Plan Letters, policies, methodologies, and similar guidance, as authorized by the Knox-Keene Act and required by statute to comply with necessary state legislation and maintain compliance with federal rules including, but not limited to, complex issues related to Article 11.9 of the Act.

- 30% (E) Research and draft the most difficult and complex supporting regulatory documents, prepare and plan for public comments regarding proposed complex regulations, and provide guidance to the DMHC when enacting complex and highly sensitive regulations. Provide legal support for the Health Equity and Quality Committee. Respond to inquiries from DMHC staff and members of the public regarding the status of regulations. Monitor changing legislation and prepares analysis of impact and effect of legislative changes on the DMHC.

- 5% (M) Perform research and analysis on special projects, as assigned, and other related duties.

(marginal duties may not exceed 5% of the duty statement)

SUPERVISION EXERCISED OVER OTHERS:

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

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 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.

Have broad depth knowledge of:

- California and federal health care laws
- Laws and procedures regarding promulgation of regulations in California
- Excellent legal research, analytical and writing skills

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 employee will work in a climate-controlled office under artificial lighting or may be in a home office—and will periodically attend meetings and/or training outside of his/her assigned office. . There will be occasional fluctuations in temperature. The employee will work in and/or visit offices located in a high-rise building accessed through elevators. This position may be primarily telework-based.

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.

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