

Duty Statement

Department of Managed Health Care

OFFICE: Office of Plan Licensing	EFFECTIVE DATE:
CLASSIFICATION: Attorney IV	DATE APPROVED:
POSITION: 409-111-5780-012	TELEWORK DESIGNATION: Remote-Centered
WORKING TITLE: Legal Counsel IV	

DEPARTMENT OBJECTIVE:

The mission of the Department of Managed Health Care (DMHC) is to ensure health plan members have access to equitable, high-quality, timely, and affordable health care within 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 30.2 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 role of the Office of Plan Licensing (OPL) is to provide timely review of new license applications, material modifications, amendments and other filings to ensure that plan documents and materials comply with applicable state and federal laws and regulations. OPL also provides timely assistance to other DMHC offices in the development and communication of DMHC policy and legal positions.

GENERAL DESCRIPTION:

Under the direction of the Assistant Chief Counsel, the Attorney IV in OPL performs sensitive and highly complex legal and policy work of the DMHC. This position has significant interaction with other DMHC divisions and department management as required. Duties include, but are not limited to, conducting in-depth legal and policy research and making recommendation emerging and evolving models of health care delivery and payment mechanisms, the interplay between state and federal regulatory authority with respect to licensure of California health plans, and working on special projects as assigned. The incumbent provides guidance to DMHC counsel and management regarding the impact of proposed legislation and regulations, assists with drafting regulatory packages, and makes recommendations regarding implementation of the new laws affecting health plans statewide.

TYPICAL DUTIES:

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

<u>PERCENTAGE</u>	<u>JOB DESCRIPTION</u>
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Essential (E)/Marginal (M)

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| 30% (E) | Serve as a project lead in the OPL, which includes facilitating meetings with the OPL staff and staff in other DMHC divisions and identifying and implementing process improvements to enable the OPL to review health plan filings more efficiently and effectively while ensuring health plan compliance with California and federal health care laws. |
| 30% (E) | Conduct in-depth, comprehensive reviews of health plan filings, California and federal law, health care law and policy publications, and other information, as necessary, to identify emerging or evolving health care delivery and payment mechanisms, health plan business patterns, and other industry issues to assist DMHC management in anticipating and reacting to changes in the health care marketplace. Draft clear, comprehensive memoranda and policy papers memorializing the finding from these reviews and make recommendations regarding DMHC policy and process changes. Develop comprehensive implementation plans based on the findings of those reviews and assist DMHC management in implementing those plans. |
| 30% (E) | Perform in-depth legal and policy research and analysis of complex federal and state laws and regulations regarding health care regulation in California and provide recommendations for management consideration. Draft proposed regulations, including supporting documents, and DMHC guidance, as directed, regarding complex issues related to health care regulation and policy. Assist in drafting legislative and fiscal analyses on behalf of the OPL. |
| 5% (E) | Prepare opinions and analysis of the law and facts to support referrals for administrative action and opinions requested by the Director, Chief Deputy Director, Deputy Director or Assistant Chief Counsels. |
| 5% (M) | Participates in internal and external departmental, workgroups related to complex compliance issues. Research and gather data pertaining to filing review. |

SUPERVISION EXERCISED OVER OTHERS:

This position does not supervise others; however, the incumbent may act in a lead capacity on issues related to the development and implementation of OPL policies and procedures and the application of newly enacted or proposed legislation on health plan licensure and compliance.

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 the 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 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.

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