

**Department of Health Care Access and Information  
(Proposed) Duty Statement**

<b>Employee Name</b> <Vacant>	<b>Organization</b> Office of Health Care Affordability (OHCA) Health System Compliance	
<b>Position Number</b> 441-609-5795-006	<b>Location</b> Sacramento	<b>Telework Option</b> Hybrid.
<b>Classification</b> Attorney III	<b>Working Title</b> Senior Counsel	

**General Description**

Under the direction of the Assistant Deputy Director, Health Systems Compliance, Chief Counsel, for the Office of Health Care Affordability (OHCA or Office), or the Assistant Chief Counsel, the Attorney III performs the complex and sensitive legal work for the Office. The Attorney III works both independently and as part of a team to provide client-centered legal and policy advice and assistance to the Office on a wide range of areas, including development of OHCA program regulations, the Bagley-Keene Open Meeting Act, conflict of interest laws, the California Public Records Act, confidentiality laws, health care law, and health care competition laws and analysis. The Attorney III will work closely and interact regularly with more senior attorneys, health care consultants, financial audit staff, economists, and other health care experts.

The Attorney III consistently demonstrates professionalism in their interactions with executive leadership, program managers, other state entities, and stakeholders, while performing multiple tasks that often require stringent deadlines. The Attorney III ably performs under pressure in political or time sensitive situations, communicates effectively both orally and in writing to provide sound legal opinions and high-quality, well-researched work products and presentations, demonstrates good judgment, and acts with high ethical standards.

<b>Supervision Received</b>	Reports to the Assistant Deputy Director for Health Systems Compliance or the Assistant Chief Counsel.
<b>Supervision Exercised</b>	None.
<b>Physical Demands</b>	Must possess and maintain sufficient strength, agility, endurance, and sensory ability to perform the duties contained in this duty statement with or without reasonable accommodation.
<b>Typical Working Conditions</b>	In-person and remote meetings, prolonged sitting, reading, and use of the telephone and computer, including Microsoft 365 services; mobility to all HCAI work areas and the ability to travel to meetings outside HCAI; may require travel throughout California and the United States as necessary; ability to get along with a diverse group of people and help maintain morale so the OHCA Health System Compliance division stays a smoothly functioning unit. Due to the nature of the work, requires the ability to handle a high degree of stress. Must be available to be contacted after normal business hours of M-F 8:00 a.m. to 5:00 p.m. including Saturday, Sunday, and holidays as necessary depending on operational need.

**Job Duties**

E = Essential, M = Marginal

25%	E	Provide legal analysis, research, and advice pertaining to OHCA statutes, functions, programs, and policies. Perform assignments related to the promulgation of regulations to define and clarify OHCA statutory requirements, processes, and compliance. Typical work includes statutory interpretation and analysis, research on relevant federal laws and regulations as well as from other states and preparing related memos or presentations; drafting and revising regulatory language and supporting documents for rulemaking packages; work with interdisciplinary program staff to provide legal guidance; preparing presentations for internal and external stakeholders; drafting responses to stakeholder comments; and communications with the Office of Administrative Law related to OHCA rulemaking packages.<Enter duty description>
25%	E	With limited supervision, review notices of health care entity agreements and transactions involving material changes to identify transactions subject to Cost and Market Impact Reviews. Work activities include research on potentially complex or novel business arrangements; review and analysis of contracts for proposed transactions, work with OHCA Corporation Examiners and Auditors to review documentation related to the agreements and transactions; work with economic experts in identifying market competition impacts and legal issues arising in the Cost and Market Impact Reviews; and preparing written reports and presentations with analysis and recommendations.
20%	E	Perform work on matters related to health care entity compliance with OHCA data submission requirements, cost targets, development of performance improvement plans, and assessment of associated administrative penalties. With limited supervision prepare written correspondence to health care entities, administrative subpoenas and discovery; draft corrective action plans, and coordinate submission of legal findings for compliance related issues and Cost and Market Impact Reviews to other state agencies, including the Department of Managed Health Care and the Attorney General's Office.
15%	E	Perform legal research and analysis, provide legal opinions and advice through written work and oral presentations, both formal, and informal. Assess, analyze, and anticipate legal risks related to policy and program decisions and compliance with federal and state laws regarding data collection and restrictions, privacy, and confidentiality. With limited supervision, advise OHCA leadership, accordingly.
10%	E	Attend public meetings and provide procedural guidance and advice on compliance with the Bagley-Keene Open Meeting Act. Review OHCA communications and reports to identify applicable legal issues. Prepare responses to Public Records Act requests. Analyze and advise on legal issues related to stakeholder communications.
5%	M	Other duties as required, presentations on OHCA training activities; maintaining OHCA polices; improving OHCA systems and procedures; and research on sensitive and complex legal issues impacting OHCA and other divisions of HCAI.

#### Other Expectations

- Demonstrate a commitment to HCAI and the ethics of the legal profession.
- Ability to efficiently manage workload.
- Ability to work efficiently and resourcefully as a project lead and/or team member to plan, develop, and implement program policies and procedures with minimal supervision.
- Capacity to perform at a high level under pressure while consistently meeting deadlines.
- Ability to effectively communicate orally and in writing, with discretion and mutual respect for internal and external stakeholders.
- Demonstrate a commitment to maintaining a work environment free from arbitrary discrimination and sexual harassment and actively support HCAI's commitment to equal employment opportunities.

- Maintain good work habits, regular attendance, and adhere to all established policies and procedures.
- Perform duties independently, with minimal supervision and review. Maintain good communication with Chief Counsel; keep Chief Counsel fully informed.
- Exercise good judgment and initiative in seeking guidance from the Assistant Chief Counsel or OHCA Chief Counsel. Maintain good communication with Assistant Chief Counsel and OHCA Chief Counsel, keeping them fully informed.
- Maintain active membership in good standing with the State Bar of California.

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**To Be Signed by the Employee and Immediate Supervisor**

I have read and understand the duties and expectations of this position

I have discussed the duties and expectations of this position with the employee.

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Employee Signature/Date

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Supervisor Signature/Date

**Department of Health Care Access and Information  
(Proposed) Duty Statement**

<b>Employee Name</b> <Vacant>	<b>Organization</b> Office of Health Care Affordability (OHCA) Health System Compliance	
<b>Position Number</b> 441-609-5778-XXX	<b>Location</b> Sacramento	<b>Telework Option</b> Hybrid.
<b>Classification</b> Attorney	<b>Working Title</b> Counsel	

**General Description**

Under the direction of the Assistant Deputy Director, Health Systems Compliance, Chief Counsel, for the Office of Health Care Affordability (OHCA or Office), or the Assistant Chief Counsel, the Attorney I performs sensitive and complex legal work for the Office. The Attorney works as part of a team to provide client-centered legal and policy advice and assistance to the Office on a wide range of areas, including development of OHCA program regulations, the Bagley-Keene Open Meeting Act, conflict of interest laws, the California Public Records Act, confidentiality laws, health care law, and health care competition laws and analysis. The Attorney will work closely and interact regularly with more senior attorneys, health care consultants, financial audit staff, economists, and other health care experts.

The Attorney consistently demonstrates professionalism in their interactions with executive leadership, program managers, other state entities, and stakeholders, while performing multiple tasks that often require stringent deadlines. The Attorney must utilize professional discretion in political or time sensitive situations; communicate effectively both orally and in writing to provide sound legal opinions and high-quality, well-researched work products and presentations; demonstrate good judgment; and act with high ethical standards.

<b>Supervision Received</b>	Reports to the Assistant Deputy Director for Health Systems Compliance or the Assistant Chief Counsel.
<b>Supervision Exercised</b>	None.
<b>Physical Demands</b>	Must possess and maintain sufficient strength, agility, endurance, and sensory ability to perform the duties contained in this duty statement with or without reasonable accommodation.
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## Job Duties

**E = Essential, M = Marginal**

25%	E	Provide legal analysis, research, and advice pertaining to OHCA statutes, functions, programs, and policies. Typical work includes statutory interpretation and analysis, research on relevant federal laws and regulations as well as from other states and preparing related memos or presentations; work with interdisciplinary program staff to provide legal guidance; drafting responses to stakeholder comments or questions; and perform other special projects as needed.
25%	E	With supervision, review notices of health care entity agreements and transactions involving material changes to identify transactions subject to Cost and Market Impact Reviews. Work activities include research on potentially complex or novel business arrangements; review and analysis of contracts for proposed transactions, work with OHCA Corporation Examiners and Auditors to review documentation related to the agreements and transactions; work with economic experts in identifying market competition impacts and legal issues arising in the Cost and Market Impact Reviews; and prepare written reports and presentations with analysis and recommendations.
20%	E	Perform work on matters related to health care entity compliance with OHCA data submission requirements, cost targets, development of performance improvement plans, and assessment of associated administrative penalties.
15%	E	Perform legal research and analysis, provide legal opinions and advice through written work and oral presentations, both formal, and informal. Assess, analyze, and anticipate legal risks related to policy and program decisions and compliance with federal and state laws regarding data collection and restrictions, privacy, and confidentiality.
10%	E	Prepare responses to Public Records Act requests. Analyze and advise on legal issues related to stakeholder communications.
5%	M	Other duties as required, including presentations on OHCA training activities; adhering to OHCA policies and procedures; and research on sensitive and complex legal issues impacting OHCA and other divisions of HCAI.

## Other Expectations

- Demonstrate a commitment to HCAI and the ethics of the legal profession.
- Ability to efficiently manage workload.
- Ability to work efficiently and resourcefully as a team member to plan, develop, and implement program policies and procedures with supervision.
- Capacity to perform at a high level under pressure while consistently meeting deadlines.
- Ability to effectively communicate orally and in writing, with discretion and mutual respect for internal and external stakeholders.
- Demonstrate a commitment to maintaining a work environment free from arbitrary discrimination and sexual harassment and actively support HCAI's commitment to equal employment opportunities.
- Maintain good work habits, regular attendance, and adhere to all established policies and procedures.

- Perform duties independently when possible. Maintain good communication with Chief Counsel; keep Chief Counsel fully informed.
- Exercise good judgment and initiative in seeking guidance from the Assistant Chief Counsel or OHCA Chief Counsel. Maintain good communication with Assistant Chief Counsel and OHCA Chief Counsel, keeping them fully informed.
- Maintain active membership in good standing with the State Bar of California.

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Employee Signature/Date

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Supervisor Signature/Date