

## DUTY STATEMENT

1. POSITION INFORMATION	
Civil Service Classification Attorney III	Working Title Senior Attorney
Employee Name Vacant	Position Number 791-705-5795-901
Project/Division Name Legal Division	Supervisor's Name Mark Owens
Unit	Supervisor's Classification Chief Counsel
Physical Work Location 2870 Gateway Oaks Drive, Suite 150	Duties Based on: <input checked="" type="checkbox"/> Full Time <input type="checkbox"/> Part Time - Fraction <a href="#">Click here to enter text.</a>
Effective Date TBD	
2. REQUIREMENTS OF POSITION	
<p><b>Check all that apply:</b></p> <p><input checked="" type="checkbox"/> Conflict of Interest Filing (Form 700) Required                      <input type="checkbox"/> Requires Fingerprinting &amp; Background Check</p> <p><input type="checkbox"/> May be Required to Work in Multiple Locations                      <input type="checkbox"/> Other (<i>specify below in Description</i>)</p> <p><b>Description of Position Requirements (e.g., the position may move from project to project upon business need, managing staff at an alternate location, graveyard/swing shift, frequent travel, etc.):</b></p> <p>N/A</p>	
3. DUTIES AND RESPONSIBILITIES OF POSITION	
<p>Summary Statement (Briefly describe the position's organizational setting and major functions):</p> <p>Under the general direction of the Chief Counsel, the incumbent performs difficult and complex assignments, exercising independent legal judgment. The incumbent provides legal counsel on a broad range of issues to Office of Technology and Solutions Integration (OTSI) staff, managers, and executives, and specializes in data privacy (including protection of health information), open government, public contracting law, and state and federal government procurement law relating to information technology (IT).</p>	
Percentage of Duties	Essential Functions
35%	<p>In order to provide legal guidance and opinions to staff, managers, and executives on more difficult, complex, and sensitive legal issues and policy matters, the incumbent will utilize California and federal statutes, regulations, and policies, as well as utilize modern office methods, supplies, and equipment, to perform the following duties:</p> <ul style="list-style-type: none"> <li>Provide written and oral advice regarding data privacy laws such as the Health Information Portability and Accountability Act (HIPAA), the federal Common Rule (45 C.F.R. 46), Federalwide Assurances (FWAs), research regulations of the Food and Drug Administration (FDA; 21 C.F.R. 50), the California Information Practices Act (Civ. Code 1798.24(t)), and other federal and state laws regarding the protection of data;</li> <li>Provide written and oral advice to the Center for Data Insights and Innovation (CDII) concerning its various programs, including its compliance and enforcement efforts;</li> <li>Attend public meetings of the Committee for the Protection of Human Subjects (CPHS) and provide written and oral advice regarding open meeting laws (e.g., Bagley Keene Open Meeting Act) and the California Public Records Act; and</li> <li>Review complex, sensitive, high-profile contracts of the various OTSI-managed IT projects and divisions for compliance with law, policy, and sound professional judgment.</li> </ul>

25%	<p>Confer with all operating divisions of the OTSI, as well as OTSI IT project sponsors and the California Health and Human Services Agency (CalHHS), as necessary to perform the following duties:</p> <ul style="list-style-type: none"> <li>• Draft, review, and advise regarding IT contracts, data use agreements, interagency agreements, memoranda of understanding, and business use case proposals;</li> <li>• Advise project management and procurement staff regarding state and federal requirements governing the acquisition and management of IT projects;</li> <li>• Advise staff and prepare written opinions regarding complex contract and procurement issues, software licensing, generative artificial intelligence (GenAI), conflicts of interest/ethics, and other similar governmental issues; and</li> <li>• Participate in complex, sensitive, and high-profile contract negotiations.</li> </ul>
20%	<p>Prepare written opinions to resolve complex, sensitive, or high-profile questions of law; advise the Director, the Executive Team, and management staff with respect to all pertinent matters; represent the OTSI to various state and federal oversight agencies including, but not limited to, the California Department of Technology and the California Department of General Services; provide guidance on responding to various state and federal stakeholder agencies including, but not limited to, the U.S. Department of Agriculture—Food and Nutrition Service, the U.S. Department of Health and Human Services—Administration for Children and Families, the Centers for Medicare-Medicaid Services, and the General Services Administration; and assist in the preparation of OTSI policy documents and proposed legislation.</p>
15%	<p>Review and advise regarding release of records pursuant to the California Public Records Act or other legal process; assist the Information Security Officer with the review of information security contract and policy language; provide training as instructed to staff; attend meetings with sponsor departments, CalHHS, the Governor’s Office, Department of Justice, and others; and advocate the OTSI’s position in proceedings before various boards and commissions, including representing the OTSI in depositions, administrative proceedings, hearings, and/or other legal proceedings involving a wide variety of matters—such matters include, but are not limited to, litigation, proceedings relative to contract negotiations, settlements, and arbitrations.</p>
Percentage of Duties	Marginal Functions
5%	Perform other duties as assigned.

**4. WORK ENVIRONMENT** *(Choose all that apply from the drop-down menus)*

Standing: Infrequent (7-12%)	Sitting: Frequent (51-75%)
Walking: Occasional (13-25%)	Temperature: Temperature Controlled Office Environment
Lighting: Artificial Lighting	Pushing/Pulling: Not Applicable
Lifting: Not Applicable	Bending/Stooping: 1-25%
Other: <i>Click here to enter text.</i>	
Type of Environment: a. Office b. N/A	
Interaction with Public: a. N/A b. Select c. Select.	

**5. SUPERVISION**

Supervision Exercised (e.g., <i>Directly – 1 Information Technology Supervisor II; Indirectly – 5 Information Technology Associates</i> )
N/A

**6. SIGNATURES**

<p><b>Employee’s Statement:</b> I have reviewed and discussed the duties and responsibilities of this position with my supervisor and have received a copy of the Duty Statement and can perform the duties outlined above without a Reasonable Accommodation.</p>
Employee’s Name (Print)

Employee's Signature	Date				
<b>Supervisor's Statement:</b> I have reviewed the duties and responsibilities of this position and have provided a copy of the Duty Statement to the Employee.					
Supervisor's Name (Print)					
Supervisor's Signature	Date				
<b>7. HRD USE ONLY</b>					
<b>Human Resources Division Approval</b>					
<input checked="" type="checkbox"/> Duties meet class specification and allocation guidelines. <input type="checkbox"/> Exceptional allocation, 625 on file.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">HR Analyst initials</td> <td style="width: 50%;">Date approved</td> </tr> <tr> <td style="text-align: center;">CS</td> <td style="text-align: center;">1/2/2026</td> </tr> </table>	HR Analyst initials	Date approved	CS	1/2/2026
HR Analyst initials	Date approved				
CS	1/2/2026				
<b>Reasonable Accommodation Unit use ONLY</b> <i>(completed after appointment, if needed)</i> * If a Reasonable Accommodation is necessary, please complete a Request for Reasonable Accommodation form and submit to Human Resource Division (HRD), Reasonable Accommodation Coordinator.  List any Reasonable Accommodations Made: <i>Click here to enter text.</i>					

**\*\* AFTER SIGNATURES ARE OBTAINED:**

- SEND THE ORIGINAL DUTY STATEMENT TO HRD TO FILE IN THE EMPLOYEE'S OFFICIAL PERSONNEL FILE (OPF)
- PROVIDE A COPY TO THE EMPLOYEE
- FILE A COPY IN THE SUPERVISOR'S DROP FILE