

Duty Statement

Department of Managed Health Care

OFFICE: Office of Enforcement	EFFECTIVE DATE:
CLASSIFICATION: Attorney IV	DATE APPROVED: 8/19/2026
POSITION: 409-411-5780-XXX	TELEWORK DESIGNATION: <i>Remote-Centered</i>
WORKING TITLE: Attorney 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 DMHC 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 Office of Enforcement (OE) investigates alleged violations of the Knox-Keene Health Care Service Plan Act of 1975 (the Act) under the DMHC's administrative powers as a California state licensing agency. The OE handles the litigation needs of the DMHC and seeks to compel compliance with the Act and its implementing regulations through corrective action plans and the imposition of fines and penalties for identified violations.

GENERAL DESCRIPTION:

Under the general direction of the Assistant Chief Counsel, the incumbent is assigned to the Division of Prosecution (DOP) and performs the most specialized sensitive, difficult, and complex legal work of the DMHC in connection with the enforcement of the Act, and does other work as required. The incumbent is expected to act as the expert in litigation of the greatest difficulty and sensitivity, and will frequently advise the General Counsel as well as executive management. The incumbent is assigned to the Office of Enforcement to provide legal and policy advice on administrative, procedural, and regulatory issues and projects that have a significant impact on public health and health policy, and any political impact on the DMHC.

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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| 45%(E) | Acts in a lead counsel role. This includes forming litigation strategies, leading litigation, acting in lead role for several departments when the DMHC is required to take aggressive action, such as plan seizure, and act as lead counsel in appellate work. Performs, with broad discretion and independence, legal work of the most complex and sensitive nature, including the prosecution and defense of the most difficult litigation. May act as a lead in negotiations on a case, performs legal research, and drafts pleadings. Acts as liaison and consultant to the Department of Justice in matters where the DMHC is represented by the DOJ, due to conflict issues, policy issues or capacity issues. Develops and implements strategy and tactics for the most complex and sensitive litigation and appeals. |
| 25% (E) | Prepares interpretive opinions and analyses of the policy, law and facts to support recommendations to upper management, other divisions and others, such as monitors and conservators. |
| 20% (E) | On complex matters, plans, organizes, directs, and conducts investigations, discovery and legal proceedings involving suspected violations of the Act enforced by the DMHC and affecting health plan enrollees. Litigates Enforcement cases at the Office of Administrative Hearings, California Superior and Appellate Courts. Acts as counsel for the DMHC's employees in hearings, trials and discovery matters. |
| 5% (M) | Leads the operational activities of investigators, examiners, and legal assistants in enforcement activities; and acts as a mentor over lower level attorneys. |
| 5% (M) | Performs research and analysis on special projects as assigned and other related duties. |

SUPERVISION EXERCISED OVER OTHERS:

An Attorney IV does not supervise staff, but may act in a lead capacity.

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 the DMHC's 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:

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.

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. Attorneys are reminded that they are subject to the California Rules of Professional Conduct and applicable provisions of the California Business & Professions Code, and may be subject to discipline by the California State Bar.

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.

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