

Classification: Attorney, Assistant Chief Counsel

Position Title: Assistant Chief Counsel

Position Number: 801-120-5871-002

Division/Branch: Office of Legal Affairs

Location: Sacramento

Job Description Summary

Under general direction of the Assistant General Counsel, the Deputy Director, Office of Legal Affairs performs duties related to program management, policy development, interpretation, and implementation within the Office of Legal Affairs. Assists the Assistant General Counsel in developing responses to evolving legal challenges to Covered California and its implementation of programs. The Deputy Director, Office of Legal Affairs directs the day-to-day operations of the Office of Legal Affairs including advising on policy matters, overseeing administrative functions, and personnel management. Duties may include access to information systems that contain protected enrollee information, including federal tax information, protected health information and personally identifying information.

Job Description

35% (E)

The Deputy Director, Office of Legal Affairs works directly with the Assistant General Counsel on program management as well as policy development, interpretation, and implementation within the Office of Legal Affairs, which also includes the Privacy Office. Interprets and implements policies, regulations, and statutes affecting Covered California at both the state and federal levels. Develops responses to evolving legal challenges to Covered California and its programs. Partners with the Attorney General on litigation matters on behalf of Covered California. Provides management support to assist the Assistant General Counsel, including formulating, revising existing, and implementing divisional initiatives and programs, as well as strategic planning for the Office of Legal Affairs to achieve Covered California's priorities and initiatives. Advises and directs the work of attorneys and divisional staff on a wide variety of legal work, including matters related to the Patient Protection and Affordable Care Act, eligibility and enrollment, plan management, health equity and quality, marketing, communications and external affairs, technical assistance to the Legislature, marketing, financial management, privacy and information security, real estate and facilities, open meeting requirements, public record requests, subpoenas, conflict of interest, contracts, personnel, and equal employment opportunity.

30% (E)

Manages the day-to-day operations of the Office of Legal Affairs, including assisting on policy matters and supporting administrative functions. Participates in the hiring, interviewing, development, and overall management of attorneys and divisional staff within the Office of Legal Affairs. Provides effective leadership to ensure quality of work, accuracy, and timeliness. Conveys clear performance expectations. Regularly observes staff and conveys individual performance results, as well as mentorship in one-on-one discussions. Provides timely and constructive feedback and coaching that improves performance and builds competency. Addresses

and corrects poor performance and documents appropriately. Documents performance problems and develops formal corrective actions. Creates, monitors, and refreshes Individual Development Plans (IDP) annually. Adheres to Covered California Human Resources Branch policies.

25% (E)

The Deputy Director is responsible for business oversight of the Office of Legal Affairs. Directs policy and oversees contract administration, outside counsel vendor management, and assists in the development and management of the divisional budget. Responsible for the solicitation, competitive selection, on-boarding, training, and management of third-party vendors and contracts. Supervises terms of contracts, interprets contract requirements, policies and procedures. Maintains frequent contact and collaborates with high-level external executives, contractors, and vendors. Evaluates criminal history reports to make a determination of the applicant's fitness for the job based on their record and an individualized assessment, including information provided in or with the Personal History Statement.

10% (M)

Acts as the Assistant General Counsel as needed and where not prohibited by law or policy. Represents Covered California and the Office of Legal Affairs at a wide variety of events, including advisory board meetings, meetings with the Governor's Office, industry conferences, etc. Performs special projects as required and appropriate, to support the work of the Office of Legal Affairs and the broader organization. Travels to satellite offices and for offsite meetings, trainings, and conferences.

Scope and Impact

- a. Consequences of Error: The Deputy Director, Office of Legal Affairs will assume and demonstrate independent responsibility for decisions and actions having broad programmatic and politically sensitive implications on a variety of complex issues related to legal affairs, of which directly ties to the Department's mission. Failure to exercise sound judgment and execution of good decisions could result in litigation against the Department, media scrutiny, a damaged reputation, and financial consequences to Covered California.
- b. Administrative Responsibility: This position holds considerable administrative responsibility with day-to-day accountability for the production of the Division's products and services. Coaches, directs and oversees staff. Assists the Director in the strategic management the Division's operating budget of approximately \$4 million.
- c. Supervision Exercised: This position will directly supervise Attorney IVs, Attorney IIIs, Attorneys and Supervisor II, while indirectly supervising Supervisor I and Analyst II.
- d. Internal Personal Contacts: Executive Director, Director, Legal Affairs, other members of the Executive Leadership Team, divisional Directors and Deputy Directors, divisional staff, direct reports, and Covered California Staff.
- e. External Personal Contacts: Other California state departments including Department of Managed Healthcare, Department of Insurance, Department of Social Security; The federal Health & Human Services Agency; health plans; legislative staff; consumers; stakeholders; and other state-based exchanges.

Physical and Environmental Demands

Work Environment

Work in a climate-controlled office under artificial lighting; exposure to computer screens and other basic office equipment; office space is open and thus noisy; work in a high-pressure fast-paced environment, under time critical deadlines; work long hours; must be flexible to work days/nights, weekends and select holidays as needed; during peak periods, may be required to work overtime; appropriate dress for the office environment.

Essential Physical Characteristics

The physical characteristics described here represent those that must be met by an employee to successfully perform the essential functions of this classification. Reasonable accommodations may be made to enable an individual with a qualified disability to perform the essential functions of the job, on a case-by-case basis.

Ability to attend work as scheduled and on a regular basis and be available to work outside the normal workday when required. Continuous: Upward and downward flexion of the neck. Frequent: sitting for long periods of time (up to 70%); repetitive use of hands, forearms, and fingers to operate computers, mouse, and dual computer monitors, printers, and copiers (up to 70%); long periods of time at desk using a keyboard, manual dexterity and sustained periods of mental activity are need; using headsets to talk with internal and external customers for extended periods (up to 60%); Frequent: walking, standing, bending and twisting of neck, bending and twisting of waist, squatting, simple grasping, reaching above and below shoulder level, and lifting and carrying of files, and binders. Note: Some of the above requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

Working Conditions and Requirements

- a. Schedule: Core Business Hours are Monday - Friday, 8:00 AM - 5:00 PM.
- b. Travel: Travels up to 10% of the time to satellite offices and for offsite meetings, trainings, and conferences.
- c. Other: