

Duty Statement

Department of Managed Health Care

OFFICE: Office Plan Monitoring	EFFECTIVE DATE:
CLASSIFICATION: Assistant Chief Counsel	DATE APPROVED: October 5, 2026
POSITION: 409-571-5871-002	TELEWORK DESIGNATION: <i>Remote-Centered</i>
WORKING TITLE: Assistant Chief Counsel, Division of Plan Surveys	

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 members. The Department protects the health care rights of Californians by regulating health care service plans, assisting members through a member Help Center, educating members on their rights and responsibilities and preserving the financial stability of the managed health care system.

PROGRAM OBJECTIVE:

The Office of Plan Monitoring (OPM) is responsible for evaluating and ensuring health care service plan regulatory compliance, quality improvement, and network adequacy as related to provision of managed health care services. The Division's public health and legal professionals plan and conduct routine and non-routine evaluations of licensed health plans and review service delivery filings for legal adequacy in order to ensure enrollees receive appropriate, sufficient, and timely care.

GENERAL DESCRIPTION:

Under the general direction of the Deputy Director, Office of Plan Monitoring, the incumbent plans, organizes, directs, and reviews the work of professional legal staff engaged in sensitive and complex legal work for the Department of Managed Health Care related to regulation and enforcement pursuant to the Knox-Keene Health Care Service Plan Act of 1975. The incumbent directs the investigatory functions of the Division of Plan Surveys and serves as legal advisor to the Deputy Director.

TYPICAL DUTIES:

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

PERCENTAGE **JOB DESCRIPTION**

Essential (E)/Marginal (M)

- 30% (E)** Directs the work of professional legal staff engaged in reviewing, evaluating, and guiding medical surveys to assess health care service plans' compliance with the Knox-Keene Act and related regulations. Reviews determinations and recommendations of legal staff, including preliminary, final, and follow-up routine medical survey reports containing complex findings, and approves, modifies, or requires further staff work as needed. Direct the review and updates to survey tools, including Technical Assistance Guides (TAGs) and file review worksheets, and approve such tools for use by staff and/or clinical consultants.
- 25% (E)** Directs the investigatory functions of the Division of Plan Surveys, including identifying compliance issues that warrant an investigative survey, develops legal strategies for investigative surveys and directs the work of professional and legal staff in making legal determinations and findings in investigative survey reports. Directs the investigation of whistleblower complaints.
- 15% (E)** Acts as legal advisor to the Deputy Director, OPM. Participates as a member of top management in development and implementation of legal and departmental policy and represents the OPM before the Legislature, control agencies, health care providers, and consumers on legal issues related to Knox- Keene Act regulation and enforcement.
- 10% (E)** Develops strategy and tactics in the most complex medical surveys and handles the most complex and sensitive stakeholder matters.
- 5% (M)** Performs special projects which require legal research, documentation, and identification of legal issues and other matters as assigned by the Deputy Director. Directs the preparation of reports, legal opinions, and memoranda.

SUPERVISION EXERCISED OVER OTHERS:

Directly supervises Attorney, Attorney III and Attorney IV classifications.

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 ability to solve difficult personnel problems, research, understand, interpret and

articulate applicable employment laws, rules and regulations.

Have knowledge and expertise with the operation and functions of the California Department of Human Resources (CalHR) and the State Personnel Board (SPB) and be knowledgeable of the California Government Code and the California Code of Regulations in the area of Human Resources.

Have knowledge and expertise with the principles and practices in public and business administration, including personnel management, classification and pay issues, labor relations, employee supervision, development and training, DMHC policies and procedures, safety, health and Equal Employment Opportunity objectives.

A greater 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; federal and state statutes and rules; rules of professional conduct; principles of administrative trial and hearing procedure and rules of evidence; court procedures; legal terms and forms in common use; statutory and case law literature and authorities; professional and ethical rules as they relate to the practice of law; appellate proceedings; rules of evidence and conduct of proceedings in trial and appellate courts of California and the United States and before administrative bodies; and provisions of laws and Government Code sections administered or enforced and principles of public administration, personnel management and supervision.

A greater 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 and memoranda 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; independently present difficult and complex cases before Administrative Law Judges; prepare, present, and handle legal cases; direct the work of clerical and professional assistants; edit written documents written by oneself, as well as those produced by others, for accuracy and effectiveness; analyze situations accurately and adopt an effective course of action; reason logically; exercise good judgment; effectively plan and engage in discovery, including depositions and interrogatories, and to compel production or attendance of/at same; independently prepare and present difficult and complex cases before boards, commissions, trial courts, and appellate courts; independently present difficult and complex cases before administrative bodies.

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.

The employee is responsible for complying with the Information Practices Act (IPA) by protecting departmental employees' confidential information, including but not limited to social security numbers, medical or employment history, education, financial transactions or similar

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information. Failure to protect department employees' confidential information may damage DMHC's reputation as a confidential organization, may result in employee grievances or lawsuits, and, pursuant to California Civil Code section 1798.55, could result in disciplinary action, including termination of employment.

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