

Duty Statement

Department of Managed Health Care

OFFICE: OFFICE OF ENFORCEMENT	EFFECTIVE DATE: DATE
CLASSIFICATION: ATTORNEY	DATE APPROVED: 5/6/2026
POSITION: 409-411-5778-XXX	TELEWORK DESIGNATION: <i>Remote-Centered</i>
WORKING TITLE: ATTORNEY	

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 DMHC has a unique and important role in the protection of the health and wellbeing of Californians. The Knox-Keene Health Care Service Plan Act (the Act) requires the DMHC to ensure that enrollees are provided with timely access to quality health care services and is one of the only stand-alone watchdog healthcare agencies in the nation, mandated by the Legislature to protect and promote the interests of enrollees in healthcare service plans. The DMHC's Office of Enforcement (Enforcement) investigates allegations of wrongdoing and prosecutes those found to be in violation of the Act.

GENERAL DESCRIPTION:

Under the direction of the Assistant Chief Counsel, Office of Enforcement, the Attorney is responsible for effectively performing sensitive and difficult professional legal work of the DMHC. The Attorney will be expected to provide sound legal guidance to Enforcement's Deputy Director and the DMHC's General Counsel necessary to administer the statutes and regulations authorized by the Act as well as possess the ability to interpret the laws contained within the Act to ensure that the DMHC is in compliance with relevant California law.

TYPICAL DUTIES:

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

<u>PERCENTAGE</u>	<u>JOB DESCRIPTION</u>
--------------------------	-------------------------------

Essential (E)/Marginal (M)

- 40% (E)** Research, study, interpret, and apply statutes, regulations, court decisions and other legal authorities in review and resolution of assigned cases; identify potential violations and defenses in the prosecution of an action; evaluate and recommend to Enforcement's Deputy Director and ACCs a course of action based upon evaluation of evidence and violations found; Prepare legal documents, memoranda, and correspondence as required. Communicate with opposing party regarding violations of the Act and associated penalties; negotiate with opposing party the resolution of assigned cases. Coordinate with a Senior Legal Analyst or an Investigator as needed to resolve a case. Effectively manage high-volume caseload to meet all imposed deadlines.
- 25% (E)** Conduct and draft investigative discovery, evaluate opposing party's responses to the DMHC's propounded discovery, analyze need for further discovery and confer with assigned ACC as to case direction. Locate, evaluate, retain and consult with expert(s) for purposes of evaluation and trial/hearing preparation. Prepare appropriate course of resolution using accusation/pleadings, including recommendation as to appropriate venue for prosecution.
- 20% (E)** Collaborate in the preparation of cases litigated before the Office of Administrative Hearings or the California Superior or Appellate Courts; assemble and evaluate evidence; secure and interview witnesses, including expert witnesses. Attend trial/hearing as either primary trial counsel or second-chair, as assigned. Conduct post-trial briefing including preparation of post-trial briefs and motions; ensure enforcement of verdict or order through court hearing and contact with opposing parties, and handle appeal, as necessary.
- 10% (E)** Perform legal research and draft memoranda on a variety of topics. Provide legal advice and/or opinions to Enforcement's Deputy Director and ACCs and the DMHC's executive staff on legal issues arising from the enforcement of the Act and in defense of the DMHC.
- 5% (M)** Perform research and analysis on special projects and/or participate on interdivisional task teams as assigned and other related duties.

(marginal duties may not exceed 5% of the duty statement)

SUPERVISION EXERCISED OVER OTHERS:

Does not supervise others.

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:

Have the ability to reason logically and use analytical techniques to solve difficult problems; research, understand, interpret and articulate applicable laws, rules and regulations; analyze and apply legal principles and precedents to particular sets of facts; provide clear, concise, and effective written documentation and oral presentation.

Have the 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.

Have the 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.

A greater degree of these "Knowledge and Abilities" is required at each higher level.

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.

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).

Position may require travel to and from various locations in and out of California for appearance in court or other activities related to litigation.

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.

State of California
Health and Human Services Agency
Department of Managed Health Care
DUTY STATEMENT
DMHC 62-137 New: 12/04 Rev: 9/2026

EMPLOYEE NAME (PRINT)		SUPERVISOR NAME (PRINT)	
Employee's Signature	Date	Supervisor's Signature	Date