Duty Statement
Department of Managed Health Care

OFFICE: Office of Plan Monitoring, Division of Plan Surveys	**EFFECTIVE DATE:**
CLASSIFICATION: Attorney III	**DATE APPROVED:** **October 28, 2026**
POSITION: 409-571-5795-034	**TELEWORK DESIGNATION:** *Remote-Centered*
WORKING TITLE: Surveys Senior Counsel	

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. Within the OPM, the Division of Plan Surveys' (DPS or Division) 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. DPS also conducts focused behavioral health investigations of full-service commercial health plans (and their contracted specialized behavioral health plans) regulated by the DMHC.

GENERAL DESCRIPTION:

Under the general direction of the Attorney, Assistant Chief Counsel, in the OPM-DPS, the incumbent performs sensitive and complex legal work for the DMHC related to the regulation of health care service plans pursuant to the Knox-Keene Health Care Service Plan Act of 1975 (Knox-Keene Act, Health and Safety Code Section 1340, et seq.), and other work as required. Duties include ensuring compliance with the Knox-Keene Act, and related state and federal provisions, through the planning and participation in on-site surveys of health care service plans; making investigative inquiries; reviewing reports of survey findings and preparing memoranda concerning identified violations of applicable laws; providing expert-level legal

advice and counsel to DPS and DMHC management and staff; and performing other special projects as required.

TYPICAL DUTIES:

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

PERCENTAGE Essential (E)/Marginal (M)	JOB DESCRIPTION
25% (E)	Oversee the preparation of on-site surveys concerning health care service plan compliance with the Knox-Keene Act and related regulations, and related federal and state provisions, including: provide expert-level legal advice and counsel to DPS management, attorneys, staff, and contracted outside consultants; provide determinations as to the applicability of federal and state provisions, as well as DMHC and DPS policies to pre-survey materials, practices, and procedures; provide legal expert review and recommendations to DPS managers, attorneys, and staff on their revisions to DPS Technical Assistance Guides (TAGs) and worksheets related to surveys; review and provide recommendations with respect to attorney questions and concerns relating to plan policies, procedures, and filings for compliance with applicable legal provisions; and provide guidance to DPS managers, attorneys, and staff with respect to the development of DPS Scopes of Work (SOWs) for Knox-Keene Act surveys.
25% (E)	Participate in on-site plan surveys related to the implementation and oversight of plan compliance with the Knox-Keene Act by performing the following functions: provide expert-level legal advice and counsel to DPS management, attorneys, staff, and contracted vendors concerning federal and state provisions; respond to complex legal interpretation questions concerning plan records, including consumer complaint files, policies and procedures, and other business records for compliance with the Knox-Keene Act, related federal and state provisions, and DMHC and DPS policies; serve as a lead in meetings with health care service plan representatives, including managers and opposing counsel, concerning plan business processes and procedures, operations, and compliance issues pertaining to surveys; and review memoranda prepared by DPS attorneys and managers with respect to survey findings and deficiencies.
25% (E)	Oversee and participate in post-survey functions, including: provide complex legal review of survey data and findings with respect to health care service plan methodologies and procedures for compliance with the Knox-Keene Act and related regulations, federal regulations, and Knox-Keene Act provisions concerning mental health parity; make further investigative inquires; review and provide feedback to DPS managers, attorneys, staff, and contracted vendors with respect to plan

compliance with the Knox-Keene Act, related federal and state provisions, as well as DMHC and DPS policies on initial, final, and follow-up reports on survey findings; review and complete preliminary reports, final reports and follow-up reports in accordance with DPS and DMHC guidelines and policies; provide expert-level legal advice and counsel to both DPS and DMHC management concerning the terms and implementation of corrective action plans; discuss survey findings, corrective action plans, and general questions regarding plan policies, procedures, and operations with opposing counsel and plan managers; and review and provide recommendations with respect to referrals prepared by DPS attorneys to the DMHC's Office of Enforcement.

20% (E) Act as a legal advisor to OPM's DPS, and the Offices of the Director, Enforcement, and Plan Licensing with respect to policy and regulatory development in connection with the Knox-Keene Act, and related state provisions. Identify and develop strategies and tactics for complicated issues faced by the DMHC. Consult with and advise DMHC staff, consultants, and subject matter specialists on interpretation and analysis of laws, court decisions, rules, and regulations significantly affecting the duties, functions, and responsibilities of DPS' related functions. Analyze complex legal principles and precedents concerning proposed and newly enacted federal and state statutes and regulations, apply them to difficult operational circumstances and draft related legal opinions providing direction and interpretation to DPS managers and attorneys. Provide ongoing training and guidance on Knox-Keene Act and related state provisions to DPS management, attorneys, staff, and contracted vendors.

5% (M) Conduct special projects involved in the enforcement of State laws as well as departmental rules and regulations.

SUPERVISION EXERCISED OVER OTHERS:

The employee does not supervise others but will act in a lead capacity over other attorneys, analysts, and/or DMHC-contracted vendor personnel.

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 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 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.

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.

State of California
Health and Human Services Agency
Department of Managed Health Care
DUTY STATEMENT
DMHC 62-137 New: 12/04 Rev: 09/2026

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