



*The people of the Department of Managed Health Care work toward an affordable, accountable and robust managed care delivery system that promotes healthier Californians. Through leadership and partnership, the Department shares responsibility with everyone in managed care to ensure aggressive prevention and high quality health care, as well as cost-effective regulatory oversight.*

## **Governor's Exempt Appointment**

**The California Department of Managed Health Care is currently recruiting for a  
General Counsel, Office of the Director**

California State Government supports equal opportunity to all regardless of race, color, creed, national origin, ancestry, sex, marital status, disability, religious or political affiliation, age, sexual orientation, medical condition or pregnancy. It is an objective of the State of California to achieve a drug-free workplace. Any applicant for state employment will be expected to behave in accordance with this objective because the use of illegal drugs is inconsistent with the laws of the State, the rules governing Civil Service, and the special trust placed in public servants.

<b>CLASSIFICATION:</b>	<b>General Counsel, Office of the Director</b>
<b>JOB LOCATION:</b>	<b>Sacramento, CA</b>
<b>FINAL FILING DATE:</b>	<b>February 28, 2014 or Until Filled</b>
<b>SALARY:</b>	<b>To Be Determined</b>

### **APPLICANT CHARACTERISTICS**

The California Department of Managed Health Care (DMHC) is in search of an energetic and innovative individual to lead the multi-faceted legal program of the department that regulates most health plans, serving over 20 million enrollees, in the State of California. If you are skilled in providing expert legal counsel to top level administrators on a wide range of legal matters from a broad policy perspective, and have legal experience consulting and working cooperatively with the Legislature, State, and Federal public agencies, the DMHC is very interested in having you join our leadership team!

### **POSITION DESCRIPTION**

Under the direction of the Director and Chief Deputy Director, the General Counsel provides advice on legal and administrative matters to the Director, Chief Deputy Director, Deputy Directors and other members of the Executive Staff; functions as legal liaison between the department and the Governor's Office, the California Health and Human Services Agency, and Health Plan and Provider group legal affairs offices; ensures department-wide consistency in legal approaches and determinations; provides strategic planning and policy direction on emerging legal issues and industry trends to ensure optimum health care service delivery; and works cooperatively with other executives to promote and uphold the mission of the department.

#### **Specific tasks include, but are not limited to:**

Acts as a principal legal advisor to the Director, Chief Deputy Director, Deputy Directors and other members of the Executive Staff on the laws and regulations under the regulatory jurisdiction of the Director as well as other health care and related laws. Sets statewide legal policy. Provides expertise and in-depth knowledge of all facets of the Knox-Keene Health Care Service Plan Act. Provides legal advice and opinions to executive management staff in coordination with multiple legal disciplines and programs within the Department. Advises high-level administrative staff of the scope and limits of their authority in legal matters relating to their programs. Reviews all department legal opinions with statewide or industry-wide impact prior to release and prepares final opinions for the Director's review

and signature. Oversees the legal work of the Office of Legal Services and Office of Enforcement. Provides oral briefings and presentations to the Director, Chief Deputy Director, Deputy Directors and other members of the Executive Staff on sensitive legal matters.

Represents the Department before the Governor's Office and California Health and Human Services Agency on pertinent legal issues; acts as point person for legal inquiries and communications between the department and Health Plan and Provider group legal affairs offices; and represents the Department before other State, local, or federal governmental agencies in matters relating to the Department.

Monitors and provides input for the legal defense efforts of all lawsuits brought against the Director or the Department represented by the Office of Enforcement, Office of Legal Services, the Attorney General, or other representation; coordinates litigation with the Attorney General and outside counsel; consults with trial counsel over strategy, litigation strengths and weaknesses; reviews pleadings and motions.

Works cooperatively with the Director, Chief Deputy Director, and Deputy Directors to move strategically toward department goals; improve and prioritize legal processes; align legal strategies with regulatory consistency; reduce inefficiencies, and to minimize unnecessary regulatory burden and cost. Provides high level legal policy development and oversight by monitoring emerging health plan issues to foster early resolution or to identify the need for department response. The incumbent participates in the review and finalization of all policies, regulations and processes that impact the department's regulatory authority.

Attends health care industry conferences; assists in recruiting well qualified health care law attorneys; mentors legal program staff; program associated travel

## **MINIMUM QUALIFICATIONS**

Must be an active member of the State Bar of California and licensed to practice law in California.

## **DESIRABLE QUALIFICATIONS**

1. Ability to function as part of an executive management team to plan, develop, and implement Department policies and priorities; act as legal advisor to top management, including the ability to formulate legal policy and to initiate and recommend strategic changes impacting individual programs and the organization as a whole, in order to meet competitive demands and corporate objectives and values; and solve problems, create new ideas and develop new approaches to achieve the Department's mission.
2. Experience with legal issues related to the Knox-Keene Health Care Service Plan Act, litigation strategies, legislation and legislative processes, regulations and regulatory adoption processes, and administrative hearing processes.
3. Demonstrated understanding of the role, as chief legal advisor, to a policy-making body and knowledge of the practices of organizational and administrative functions, fiscal, and human resource management, and structure and culture of the State Personnel Board and the Department of Human Resources (CalHR).
4. Breadth and variety of experience as an attorney, attorney supervisor and/or contractor of attorneys in defending, pursuing, and resolving civil and administrative cases in the California Superior Court, Appellate Courts, Federal District Courts, and Courts of Appeal.
5. Proficient knowledge of civil litigation laws, regulations, trends, practices, and the California Code of Civil Procedure, California Evidence Code, Federal Rules of Civil Procedure, and California Government Code; and ability to accurately appraise legal problems; perform legal research; write and edit correspondence, pleadings, legal opinions, regulations and legislation clearly and logically; and correctly apply legal principles, evidentiary rules and precedents to propose solutions.

6. Demonstrated capacity to work cooperatively, promote partnerships, and gain support and confidence of the Administration, and State and Federal control agencies; demonstrated negotiation skills including negotiations of settlement agreements, business contracts and related transactions, and/or legislative proposals; and ability to make both planned and impromptu presentations before groups on diverse, complex, and sensitive subjects.
7. Successfully served in a leadership role, with full operational accountability for a legal program, experience conceiving, planning, and executing programs or projects with documented results; and ability to facilitate functional needs and structure to achieve strategic plans. The successful candidate recognizes that people are the Department's most valuable resource and can attract appropriate candidates, evaluate, and select the most qualified; and dedicates time to develop and encourage staff to achieve their true potential.
8. Knowledge of the Federal Affordable Care Act and the actions required to implement key mandates as well as an understanding of the context and mission of legal issues involving the transition to sweeping health care reform, both internally and externally.

## **COMPENSATION AND BENEFITS**

Salary – is negotiable and commensurate with education, experience and training.

Benefits – medical, dental, vision, life insurance and retirement program under the California Public Employees Retirement System (CalPERS).

Leave Allowance - Vacation and sick leave benefits provided and 11 holidays observed annually.

## **APPLICATION INFORMATION**

1. Submit a [Standard State Application \(Form 678\)](#), resume, and Statement of Qualifications (SOQ) to the address indicated below.
2. An SOQ, no more than three pages in length, describes how the candidate's background, education and experience specifically relate to the ability to perform the duties of this position.
3. A screening committee will independently evaluate each applicant's experience, education, certification and training for the position against specific job-related criteria developed from the Desirable Qualifications. Therefore, it is critical that each applicant include specific information in the SOQ on how his/her experience, education, certification, and training meet the Desirable Qualifications.
4. Based upon the screening committee's evaluation of the competitive group, interviews may be conducted with only the most qualified candidates.

All interested applicants must submit the State Application, Resume, and Statement of Qualifications to:

**Department of Managed Health Care  
Human Resources - Attention: Emily Taylor  
980 9th Street, Suite 500  
Sacramento, CA 95814  
(916) 327-2438**