



LEGAL SERVICES DIRECTOR

Position Status:	Exempt
Reports To:	Chief Compliance Officer
Effective Date:	09/26/22
Revised Date:	01/27/26
Job Level:	M3

POSITION SUMMARY

Under policy direction, this position:

1. Provides strategic management oversight in implementing, directing, and monitoring the Alliance's Legal Services Department, which provides advice and counsel and performs enterprise risk management for Alliance operations
2. Directs the Legal Services Department, acts as a leader and subject matter expert and provides direction and advice on legal and administrative contracting issues and overall business operations
3. Manages and coordinates litigation and disputes related to Alliance operations
4. Directs health plan administrative contracting, including maintenance of agreements and negotiation and re-negotiation of contracts in coordination with Alliance staff and external counsel
5. Directs, manages, and supervises Legal Services Department staff
6. Performs other duties as assigned

RESPONSIBILITIES

1. Provides strategic management oversight in implementing, directing, and monitoring the Alliance's Legal Services Department, which provides advice and counsel and performs enterprise risk management for Alliance operations, with duties including but not limited to:
 - Providing legal advice to the Chief Executive Officer, executive team, and Board of Commissioners
 - Providing legal advice and counsel to management and staff related to operations, strategic initiatives, and matters of legal and regulatory compliance
 - Overseeing and conducting legal research and analysis and providing interpretation and advice related to relevant state and federal statutes and regulations, contractual provisions, and other requirements with which the Health Plan must comply
 - Assessing and articulating organizational risk tolerance and applying that risk tolerance to identify, assess, and support mitigation of legal and regulatory risk across all operations
 - Staying informed of and assessing potential legal risks related to state and federal legislative and regulatory changes
 - Preparing written summaries related to new and existing laws and regulations and preparing executive briefings on legal issues
 - Providing legal review and analysis in connection with regulatory filings and new product development, including analyzing legal risks and opportunities in consideration of the evolving and dynamic regulatory environment
 - Providing counsel internally on health care and privacy and security laws, including providing advice on legal issues related to the Health Plan's Department of Health Care Services (DHCS) contract, Knox-Keene obligations, Medicare rules and regulations, Brown Act and Government Code requirements, and other applicable regulatory requirements

- Assessing when review from outside counsel is required and obtaining external review in areas that pose significant risk to the plan to guide implementation of mitigation strategies
- Providing support to the Chief Executive Officer, Chief Compliance Officer, and Government Relations Director related to Board activities, such as managing the process to review Commissioners' conflicts of interest and interpreting and ensuring Brown Act requirements are met leading up to the meeting and during Board meetings
- Overseeing delegations of authority, including those related to government claims, administrative decision-making controls, expenditure authority, and contract signature authority
- Providing education to staff on legal issues, including risk management, confidentiality, and member rights issues
- Establishing scope of services provided, processes for engaging in those services, systems to track work status and progress, and metrics to evaluate department performance
- Ensuring effective processes are in place to provide timely and accurate responses to subpoenas, medical record requests, Public Records Act requests, and other legal inquiries
- Ensuring effective processes and systems are in place to retain organizational records in alignment with legal and regulatory requirements
- Leading or advising on internal investigations, whistleblower matters, and government inquiries, as requested
- Providing leadership in crisis situations, such as data breaches, adverse regulatory findings, and public scrutiny

2. Directs the Legal Services Department, acts as a leader, mentor, and subject matter expert and provides direction and advice on legal and administrative contracting issues and overall business operations, with duties including but not limited to:

- Participating in the general administration of the Alliance as a member of the senior leadership team by providing input into the problem-solving and decision-making process
- Participating in strategic planning and implementation of the Compliance Division operational goals related to the growth and development of Alliance business operations
- Ensuring that Legal Services Department goals and activities are aligned with the Alliance strategic plan
- Assisting in formulating strategic plans and goal setting in support of Alliance programs
- Modeling and promoting effective interdepartmental communication
- Preparing narrative and statistical reports and making presentations, including preparing reports for the Board of Commissioners, Compliance Committee, and other organizational meetings.
- Developing performance measures related to strategic goals and new projects and presenting to internal and external stakeholders
- Developing and implementing administrative policies and procedures related to Legal Services Department operations
- Maintaining current knowledge of and ensuring compliance with relevant federal and state laws, policies and directives, organizational policies and procedures, and determining the impact of any changes in such laws, policies, and directives
- Monitoring legislative and legal changes related to Alliance functions and ensuring appropriate communication of same

- Reviewing and assessing overall department functions, core work, goals, and structure, developing and implementing short- and long-term planning to achieve strategic objectives, and completing an annual department assessment
- Overseeing the preparation and maintenance of records, reports, and related documents
- Developing and managing the Legal Services Department's operations, work plans, and budget
- Attending and participating in internal and external meetings related to Alliance business operations
- Providing support to the CCO on strategic projects and operational initiatives

3. Manages and coordinates litigation and disputes related to Alliance operations, with duties including but not limited to:

- Overseeing and managing litigation and disputes related to Alliance operations, such as those related to provider- and member-related matters and regulatory enforcement actions
- Overseeing and managing the Plan's Government Claims process
- Setting litigation strategy and budgets related to active matters
- Identifying, contracting, managing, and maintaining the relationship with outside counsel
- Leading litigation-related activities in partnership with outside counsel, including conducting research, proposing the Alliance's litigation strategy pertaining to active legal affairs, and managing the overall process and active litigation.
- Facilitating cross-disciplinary legal matters in collaboration with internal business owners and external counsel
- Coordinating and managing legal matters, including ensuring an effective system to receive communications, compiling, preparing, and sending documentation, and preparing questions for external counsel
- Identifying matters requiring review or approval by the Board of Commissioners, ensuring timely communication, and preparing and presenting updates in closed session meetings
- Coordinating with the CCO to weigh input from multiple sources and the impact of potential decisions and courses of action

4. Directs health plan administrative contracting, including maintenance of agreements and negotiation and re-negotiation of contracts in coordination with Alliance staff and external counsel, with duties including but not limited to:

- Directing the Alliance's administrative contracting function to ensure contracts with vendors and subcontractors comply with regulatory and legal requirements, accurately reflect Alliance business needs, and reasonably protect the Alliance from risk
- Ensuring that the Plan has boilerplate administrative contracts that reflect current regulatory and legal requirements, accurately reflect Alliance business needs, reasonably protect the Plan from risk, and are understandable
- Directing and maintaining the end-to-end administrative contracting process, ensuring coordination and appropriate collaboration between required stakeholders in the process.
- Overseeing the Request for Proposal processes, including drafting RFPs, obtaining scope of work and end user specifications for materials and services, receiving and reviewing vendor responses to RFP solicitations, preparing bid evaluation tools, evaluating bid responses, coordinating bid review committees and vendor selection processes, sending outcome letters, participating in negotiations for significant contracts, and assisting with the development of contract language

- Directing the development of contractual provisions based on legislative and Board directives and overseeing all related administrative contracting functions
- Overseeing the implementation of new contract rates and terms to ensure that contracts are implemented at an operational level
- Ensuring that administrative contracts are reviewed and approved by the Alliance's various oversight agencies, in coordination with the Compliance Director

5. Directs, manages, and supervises Legal Services Department staff, with duties including but not limited to:

- Functioning through subordinate Unit Managers, as applicable, exercises full supervision of costs, methods, and staffing
- Participating in the hiring, selection, and salary administration of Department employees
- Ensuring that Legal Services Department staff maintains up-to-date knowledge, skills and abilities related to the administration of assigned responsibilities and functions
- Identifying, overseeing, and assisting with objectives, priorities, assignments, and work-related tasks and reviewing work products as needed
- Providing mentoring, coaching and development and growth opportunities for staff and subordinate supervisors
- Evaluating employee performance, providing feedback to staff, and coaching and counseling or disciplining staff when performance issues arise
- Overseeing staff in multiple office locations and/or telecommute settings

6. Performs other duties as assigned

EDUCATION AND EXPERIENCE

- Juris Doctor degree from an accredited law school, admitted to and in good standing with the State Bar of California, and possession of an active license to practice law in California
- A minimum of seven years of experience as a practicing health care attorney performing research and analysis of legal, statutory, and regulatory information, which included a minimum of five years of management level experience and a minimum of three years of experience related to health plan operations; or an equivalent combination of education and experience may be qualifying

KNOWLEDGE, SKILLS, AND ABILITIES

- Thorough knowledge of health care laws
- Thorough knowledge of Knox-Keene Health Care Service Plan Act and Regulations, Affordable Care Act, Health Insurance Portability and Accountability Act (HIPAA), Stark Law, and False Claims Act
- Thorough knowledge of Medi-Cal, Medicaid, and Medicare rules, requirements, and regulations
- Thorough knowledge of state regulatory agencies, such as DHCS, Centers for Medicare and Medicaid Services (CMS), and Department of Managed Health Care (DMHC).
- Thorough knowledge of and proficiency in research, analysis and reporting methods
- Thorough knowledge of the principles and practices of operational oversight and program and project management
- Thorough knowledge of the principles and practices of customer service

- Working knowledge of the regulatory requirements for public agencies, including Brown Act and California Government Code requirements and how to apply
- Working knowledge of the principles and practices of supervision and training
- Working knowledge of and proficiency with Windows based PC systems and Microsoft Word, Excel, Outlook, and PowerPoint.
- Working knowledge of the principles and practices of contract negotiation and review
- Ability to provide prudent legal recommendations and counsel to executive team members and Board members
- Ability to develop legal strategies and objectives based upon analysis of relevant information and resources,, and make recommendations
- Ability to perform risk assessment, anticipate and respond to risks, and provide risk mitigation support
- Ability to balance compliance rigor with operational feasibility
- Ability to review, guide or provide a response to legal inquiries, including subpoenas and Public Records Act requests
- Ability to select and manage vendors, including outside counsel, oversee vendor performance, monitor legal spend, and develop an annual legal budget
- Ability to oversee staff providing advice and performing legal research related to regulatory issues, provider and vendor contracting, and general healthcare compliance matters
- Ability to analyze and interpret legal, regulatory and contractual language, policies, procedures and guidelines, and legislative and regulatory directives
- Ability to oversee the negotiation of administrative contract provisions
- Ability to develop, plan, organize and direct programs and activities that are complex in nature and regional in scope
- Ability to direct, manage, supervise, mentor, train and evaluate the work of staff
- Ability to provide leadership, facilitate meetings, and partner with and guide managers and employees in the resolution of issues
- Ability to act as a technical resource and explain complex laws, regulations, processes, and programs related to areas of responsibility
- Ability to demonstrate strong analytical skills, accurately collect, manage, and analyze data, identify issues, offer recommendations and potential consequences, and mitigate risk
- Ability to identify and resolve problems in a timely manner
- Ability to review and assess overall department function, core work, goals, and structure, develop and implement short- and long-term planning to achieve strategic plans, and complete an annual department assessment
- Ability to identify and develop new processes and systems to improve productivity and results
- Ability to oversee the development and implementation of projects, systems, programs, policies, and procedures
- Ability to manage multiple programs and projects, organize work, respond to changing priorities, and achieve goals and timelines in a high-volume environment
- Ability to foster effective working relationships, influence others, and build consensus with individuals at all levels in the organization
- Ability to demonstrate a collaborative management style, build rapport, influence a diverse set of stakeholders, and effectively manage internal and external business relationships
- Ability to make presentations and adjust communication style in order to facilitate collaboration and understanding

- Ability to prepare narrative and statistical written reports, oral reports, correspondence, and other program documents
- Ability to develop and monitor department, program, and project performance and make adjustments when needed
- Ability to develop recordkeeping systems and maintain organized and accurate records

DESIRABLE QUALIFICATIONS

- Experience working in a managed care environment
- Working knowledge of the managed care industry and policy issues impacting managed care
- Working knowledge of liability insurance law, including auto, property, and cyber insurance policies

WORK ENVIRONMENT

- Ability to sit in front of and operate a video display terminal for extended periods of time
- Ability to bend, lift and carry objects of varying size weighing up to 10 pounds
- Ability to work effectively in a remote work environment
- Ability to travel to different locations in the course of work
- Possession and ongoing maintenance of a valid Driver's License, transportation, and automobile liability insurance in limits acceptable to the Alliance

This position description, and all content, is representative only and not exhaustive of the tasks that an employee may be required to perform. Employees are additionally held responsible to the Employee Handbook, the Alliance Standard Knowledge, Skills and Abilities and the Alliance Code of Conduct. The Alliance reserves the right to revise this position description at any time.