

Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

A. GENERAL INFORMATION

1. Date

September 7, 2016

2. Department

California Health Benefit Exchange/Covered California

3. Organizational Placement (Division/Branch/Office Name)

Administrative Services Division/Business Services Branch

4. CEA Position Title

Chief, Business Services Branch

5. Summary of proposed position description and how it relates to the program's mission or purpose. (2-3 sentences)

Under the general direction of the Deputy Chief Operations Officer, the Chief, Business Services Branch is responsible for the development, recommendation, and implementation of statewide policies related to business services functions including: contracts; procurement; health, safety, and wellness; facilities and business management services for the California Health Benefit Exchange, also known as Covered California (Exchange/CC). The incumbent will provide overall direction, management, planning, organization, development, implementation and supervision of program policies, procedures and staff. Duties may include access to information systems containing protected enrollee information, including federal tax information, protected health information, and personally identifying information.

6. Reports to: (Class Title/Level)

Deputy Chief Operations Officer

7. Relationship with Department Director (Select one)

- Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain): Advises Executives on contract, procurement, health, safety and wellness, business and facilities management policy issues in a new, unique state organization.

8. Organizational Level (Select one)

- 1st 2nd 3rd 4th 5th (mega departments only - 17,001+ allocated positions)

B. SUMMARY OF REQUEST

9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

Policy Influence - Responsible for the overall development, direction, planning, coordination and implementation of complex policies and protocol related to the Exchange/CC's business services functions including: contracts, procurement, health, safety, wellness, and facilities. Provides executive level advice and consultation to the Deputy Chief Operations Officer as well as the executive leadership team regarding policies and business services programs including but not limited to: emergency preparedness, Healthier U pilot program; Business Continuity/ Disaster Recovery Planning; workplace violence prevention; security and related investigations; facilities planning, management and secure operation; property and equipment management; forms management system; contracts review approval, and management; and other related business services operations for the Exchange/CC. Makes presentations to the Executive Director and Division Directors on Business Services policy and other related issues; attends and presents at closed sessions of the Board as needed.

Compliance - Ensures all administrative policies and procedures for business services related programs are ethical and in conformance with associated statutory, regulatory and Exchange/CC requirements. Acts with full authority to resolve the organizational and management problems within assigned areas. Also responsible for development, implementation, and annually updating the Exchange/CC Administrative Manual documenting policies, protocol and procedures. Collaborates with other members of the management team on development of sections within their scope of responsibility to ensure conformance with Exchange/CC policy, including Human Resources, Financial Management, Program Management, Board Administration, etc. Ensures consistency with statutory requirements in the Government Code, the Contracts Code and other controlling statutes, as well as utilization of best practices, while meeting the needs of the Exchange/CC.

Program Planning - Selects, directs, organizes, assigns work, trains, mentors and evaluates a management team responsible for overseeing multiple Exchange/CC statewide functional areas, including Administration, Contracts, Facilities, Health and Safety, Policies and Procedures, and Procurement. This team advises, consults and makes recommendations to the Chief regarding policy directives and procedures affecting business services management functions of the Exchange/CC and completes associated workload. Plans, directs, and ensures the timeliness and efficiency of all ongoing Business Services Branch activities, including weekly section Chief staff meetings, one-on-one conferences and status reports.

Facilities - Represents the Exchange/CC and the Chief Deputy Operations Officer, on sensitive issues concerning the operation, safety, purchase, lease and maintenance of the Exchange/CC's facilities statewide and related services.

Serves as a member of the Exchange/CC management team, contributing to development of long and short-term strategic goals and in the development and execution of program business operational objectives. Directs staff in the strategic and business plans, strategic initiatives, goals and related objectives. Collaborates with the division management team in the development and continuous improvement of the Exchange/CC and divisional organization and processes.

B. SUMMARY OF REQUEST (continued)

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- Program is directly related to department's primary mission and is critical to achieving the department's goals.
- Program is indirectly related to department's primary mission.
- Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: Business Services plays a supporting role in achieving the mission of the Exchange by ensuring the facilities and associated equipment are safe, adequate and functional, and that office equipment and supplies provide the necessary working environment and tools for staff to perform their jobs. This is accomplished by policy setting in the area of business services and facility management/leasing. It also supports the primary mission of providing health care to Californians by policy-setting in the contracts and procurement area and by ensuring operational contracts as well as Qualified Health Plan contracts conform with associated statutory, regulatory and policy requirements. As the Exchange is not subject to DGS oversight, this position is the final level of policy and technical review in contractual areas.

B. SUMMARY OF REQUEST (continued)

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

Covered California leads the development and implementation of health care reform across the nation. It is making significant progress in the development and implementation of the programs, systems and support services required for a state-administered exchange anticipated to provide health coverage for over 4 million Californians at full implementation. As Covered California is in its third year of operation, the transition from program inception to start up and ultimately to ongoing operation continues to progress. As part of this ongoing progress, additional programs and changing requirements of existing programs have been identified that demand policy implementation and coordination among Divisions to ensure program and operational success. Operational decisions, which drive policy development in the business services areas, are made on a daily basis as more information is garnered, management operational decisions made, and issues/challenges are identified and resolutions pursued.

One example was the decision to have a state-run call center, rather than contracting it out. This operational decision drove development of many business services policies, particularly those related to off-site facilities.

Additionally, Covered Ca grew to a medium size agency from a core staff of less than 20 in a little over two years. This phenomenal growth alone has driven many business services policy decisions required to effectuate establishment of two call centers, negotiation of three leases for the headquarters operations, two complete headquarters moves, and establishment of policies, protocols and procedures for all the business services, facilities management and contract/procurement operations. This level of policy development will remain intense for the foreseeable future as Covered Ca is unique in State Government and its operations will continue to be defined and stabilized over the next few years.

In order to meet the needs of Covered Ca it is expected that major departmental efforts involving or requiring overall and specialized business planning and logistics, as well as the business operations component of departmental policy making will be required. This will drive the development and modification of major, complex, interrelated service delivery systems. As such, the incumbent will play a strong leadership role by participating in program policy decisions. This will require a thorough working knowledge of the major program operations, as well as knowledge of business operations disciplines in order to participate in policy formulation and influence program decisions. All matters concerning intradepartmental contracting and purchasing, facilities, health and safety, and administrative management issues will require ongoing development to meet the changing requirements of new and existing programs.

Therefore, Covered Ca has reassessed its management structure to ensure that the management team is at the level commensurate with the current level of responsibility which will only increase as we continue to clarify our operations based on the evolving understanding of our complete responsibility. Consequently, the CEA level more appropriately fits the duties and policy development/implementation responsibilities of the position.

C. ROLE IN POLICY INFLUENCE

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

Business Services functions support each and every employee in a variety of ways, and therefore, the policy making responsibility of this position impacts Covered CA and its operations statewide. In addition, the Chief of Business Services is responsible for the development, direction, coordination and implementation of many of Covered Ca's statewide administrative policies. Following are some examples of the policies set by this position:

- Evaluation and interpretation of legislative and control agency contracting and fiscal standards to develop and implement corresponding contracting policies statewide for the Exchange that include sensitive issues such as: conflicts of interest, expected standards of ethical and moral behavior, non-competitive bids, emergency contract protocols and service levels expectations and standards.
- Developing and ensuring uniform implementation of statewide policies to ensure the Exchange is compliant with state and federal laws, regulations and policies related to all areas of business services.
- Reviewing and authorizing the execution of potentially controversial and politically sensitive health plan contracts. The magnitude of the health plan contract responsibility is immense. Currently, the Exchange has approximately 1.5 million Californians enrolled in Covered California Health Plans. Studies by the University of California, Berkeley Labor Center have projected that more than 8 million Californians may be eligible through contracts negotiated for individuals and small employers.
- Serving as the adjudicator for formal appeals filed by contractors.
- Responding to external and internal audit inquiries and findings related to Covered CA business services activities.
- Ensuring proper allocation of internal and external resources and consistent funding to successfully execute all business services functions.
- Ensuring and enforcing accountability throughout the Exchange for all services and equipment based on individual program needs.

. Developing policy and providing policy recommendations to Executive staff regarding the development and implementation of program policy and administrative contracting procedures including, for example, development of a Procurement and Contract Manual for Board approval, development of contracting Evaluation and Selection and Program Contract Management policies, as well as contract policies and methodology for payment of Agents and Navigators.

. Developing Exchange/statewide policy on matters impacting contract management and administration through participation in strategic planning activities including, for example, a Contract Management Handbook and Delegation of Authority.

. Developing and ensuring uniform implementation of Exchange policies related to safety and security of facilities to reduce the risk of physical harm to employees including, for example the Injury Illness and Prevention policies, Workplace Violence and Crime Prevention policies, and Ergonomics policies.

. Project planning and developing policies for, and overseeing/leading an inter-division/inter-disciplinary team, for the multi-year development and implementation of a new agency-wide electronic enterprise content/document management program and system to improve efficiency and comply with statutory requirements.

. Developing and ensuring uniform implementation of Exchange policies related to management and business services operations at Exchange facilities statewide including, for example, Building Access/Photo Identification policies, Security Guard policies, Key/Lock Control policies, Parking policies, Business Card policies.

. Serving as Covered Ca's lead for all facility planning and leasing efforts, ensuring that all changing and ongoing agency and program needs are met.

C. ROLE IN POLICY INFLUENCE (continued)

13. What is the CEA position's scope and nature of decision-making authority?

As the Exchange is statutorily exempt from DGS oversight, this position has full policy development/oversight in assigned areas. Government Code Title 22 established the California Health Benefit Exchange as an independent public entity not affiliated with an agency or department. Section 100505 of Title 22 states: "The board shall establish and use a competitive process to select participating carriers and any other contractors under this title. Any contract entered into pursuant to this title shall be exempt from Chapter 2 (commencing with Section 10100) of Division 2 of the Public Contract Code, and shall be exempt from the review or approval of any division of the Department of General Services."

Additionally, the Exchange is exempt from the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1, as outlined in Title 22, Section 100508. This means that there is no Agency or control agency oversight or review of the contracts the incumbent is responsible for, thereby greatly elevating the level of responsibility of this position.

This CEA has responsibility for establishing policy and oversight in implementing and monitoring the competitive process and protest procedures established by the Board for all Exchange procurement and contracting activities. Due to the inherent sensitivity and the very large dollar value of the contracts - advocate group, public, media and perhaps legislative scrutiny are expected, thereby increasing the consequence of any error in this area. The CEA is therefore responsible for developing, maintaining, revising and enforcing highly critical policies that meet Covered California's needs while simultaneously ensuring that they are efficient, defensible, ethical, transparent and protect the Legislature's and public's trust.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

As the Exchange is a new organization, exempt from DGS oversight in the business services areas, the CEA will be developing and implementing new policy for the Exchange.

The CEA will have a significant role in collaborating internally with other executives to ensure the incorporation of their program needs in the associated contracts and policy development as well as contractor performance evaluations. The CEA will develop these policies based on best practices in other state agencies as well as private organizations and other State exchanges. Additionally, the position is responsible for development, implementation and ongoing maintenance and update of the Exchange Administrative Manual. In this regard the CEA will collaborate with other managers of other administrative functions to incorporate policies within their area of responsibility.

Examples of policies developed by this position include:

- Procurement and Contracting
- Cal-Card
- Key/Lock Control
- Business Card Policy
- Building Access/Photo Identification
- Space Allocation
- Health and Safety policies; for example, the Lactation policy.