

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

6/6/2016

2. Department

Department of Managed Health Care

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

Help Center

4. CEA Position Title

Assistant Deputy Director, Help Center

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

The Department of Managed Health Care (DMHC) is requesting to create an Assistant Deputy Director, (CEA A) in the Help Center. The CEA A is responsible to oversee the day-to-day operations of the Help Center, oversee data collection to ensure efficient and effective collection of consumer reported data, participate in the development and implementation of policies, regulations, and programs designed to administer and enforce State laws specific to the Help Center operations, and for taking an active role in assisting the Director to successfully achieve the Department's mission of protecting consumer health care rights and ensuring a stable health care delivery system. The incumbent supports the Deputy Director to ensure full service and specialized licensed health plans are in compliance with the Knox-Keene Health Care Service Plan Act of 1975 (the Act) and ensures the referral of systemic issues to the appropriate Office within the DMHC for further action.

6. Reports to: (Class Title/Level)

Deputy Director, Help Center/ 2nd level

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): Oversees the day-to-day operations of the Help Center which includes being an advisor to the Help Center Deputy Director and the Executive Management Team on the development and implementation of policies, regulations, and programs designed to administer and enforce State laws specific to the Help Center operations.

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.

Oversees the day-to-day operations of the Help Center, serves as advisor to the Help Center Deputy Director and Executive Management on the development and implementation of policies and procedures with statewide impact regarding the consumer grievance and provider complaint processes to ensure compliance with the Act, other State and federal laws and regulations, policies and procedures. Ensures legislative, court-related, and technological changes impacting the consumer grievances and provider complaint processes are reflected in departmental policies and procedures. Responsible for ensuring timely resolution of consumer complaints, verification of health plan compliance, independent medical review determinations, effective analysis and approval of health plans' grievance and Provider Dispute Resolution processes, collection and acceptance of provider complaints, and the accurate collection of Help Center data. Operationally ensures limited call center wait times and effective staff training. Oversees implementation of mission critical goals and objectives to ensure enrollees are provided with timely access to quality health care services and to protect and promote the interests of enrollees in health care service plans.

Responsible to build strong business relationships internally and externally, works closely with a wide variety of executive staff within DMHC in making decisions and implementing the goals and objectives of the departmental strategic plan related to regulating fairly, efficiently and effectively. Collaboratively works with all DMHC program divisions to identify systemic compliance issues and is responsible to seek appropriate corrective action.

Develops and implements new employee performance standards at all levels to ensure the highest caliber of employees effectively perform within highly sensitive environments. Provides policy advice to the Deputy Director and Executive Management on how to operationalize proposed legislation that may impact Help Center functions; provides leadership to develop and implement new policy initiatives; and administers guidelines to ensure policies are applied consistently.

Oversees Help Center data collection to ensure consumer-reported data is collected efficiently and effectively; develops program standards for data collection to ensure the accuracy, quality and reliability of data; generates reports for internal and external use; evaluates existing procedures and policies to continually improve the quality of consumer data; develops data handling and quality control procedures and policies to ensure accurate and consistent data. Identifies systemic issues, trends and problems and propose solutions.

Assists the executive management team in the development and implementation of department policy, performs research and analysis on special projects, represents the Department in conferences, meetings and hearings, and serves as the Deputy Director, Help Center in their absence.

**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: The Help Center is critical to achieving DMHC's mission of protecting consumers' health care rights as they are charged with educating and assisting consumers to resolve issues with their health plan to ensure they receive the health care services they are entitled under the law. The Help Center is responsible for providing a wide variety of consumer assistance to enrollees, including responding to complex health care inquiries, resolving complaints, administering Independent Medical Reviews and handling urgent nursing issues. Help Center receives and processes all incoming correspondence, responds to thousands of calls from consumers requesting general information or assistance, and routinely monitors health plans to ensure they comply with the law and fulfill their obligations to enrollees and, where necessary, to seek appropriate corrective action. Additionally, complaint data is tracked and used to identify systemic issues and to improve the managed health care delivery system.

## **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.

The Help Center is comprised of 123 staff and four Divisions with the following functions: Management Support (Business Services and Data Collection), Consumer Assistance, Complaint Management & Clinical Review, and Legal Affairs and Policy Development and are located in Rancho Cordova, a satellite office from DMHC Headquarters. The Division of Consumer Assistance receives, reviews, and processes all incoming correspondence and telephone calls. The Call Center responds to thousands of calls from consumers requesting general information or assistance. The Initial Review Branch handles all incoming written correspondence including applications for Independent Medical Reviews and Complaint forms. Both units are responsible for educating the consumer regarding non-jurisdictional issues, medical group or health plan closures, community resource referrals, health plan contact information as well as mailing forms, applications and informational brochures and handouts. Division of Legal Affairs and Policy Development reviews consumer complaints and determines whether health plans are in compliance with applicable laws. The Division's findings are then communicated to the consumer, health plan, or provider. Systemic issues are referred to the Office of Enforcement, Office of Plan Monitoring's Division of Plan Surveys or to the Office of Plan Licensing for further action. The Division is responsible for the development of regulations regarding consumer grievances in addition to the analysis and approval of the health plans' grievance processes; and the development of office policies regarding complaints and independent medical reviews. Division of Complaint Management and Clinical Review educates consumers regarding their health care rights and responsibilities and responds to their health care concerns. Employees make every effort to expeditiously resolve issues with health care plans and providers at the lowest possible level. Complaints are typically reviewed and resolved within the 30-day mandate. The Division ensures consumers receive an Independent Medical Review when dissatisfied with a health care service plan's decision concerning: (1) services denied due to a plan's finding that the requested care is investigational or experimental; (2) denied, delayed or modified health care services following a plan's finding that the service is not medically necessary; or (3) denials of enrollee reimbursement claims for out-of-plan medical services obtained for urgent or emergency care. Additionally, clinical personnel are available 24- hours a day to provide the necessary knowledge and guidance to ensure that the best interests of the consumer are served.

To be successful, the Help Center Deputy Director (CEA B) must devote at least 50% of their time to mission critical meetings, work groups, policy development and implementation off-site at DMHC Headquarters to ensure open lines of communication with the Director's Office, Office of Financial Review, Office of Enforcement, Office of Plan Licensing, Office of Plan Monitoring, Office of Legal Services and the Office of Legislation. The Help Center is located in a satellite office in Rancho Cordova, about 30 minutes away from DMHC Headquarters. With the current Help Center management structure it is impossible for the Deputy Director to successfully run the day-to-day operations and be involved in all of the high level policy development and department wide issues to be addressed with appropriate Help Center Deputy Director input with the Deputy being off-site.

As such, there is an operational need to have an Assistant Deputy Director (CEA A) at the Help Center to run the large day to day operations in the Deputy Director's absence. The Assistant Deputy Director is critical to the Help Center's success and must operate at the CEA level due to the mission critical job of running the Help Center. The CEA A will have continuous, direct interface with DMHC Director, Chief Deputy Director, Deputy Director's, Agency and legislator's offices and is granted the same authority as the Deputy Director to ensure services continue in the absence of the Deputy Director. The CEA A has a decisive role in the DMHC Help Center's policy-making and has regular involvement in department-wide policy and program management. The CEA A assists with, and has significant influence over, policy making and manages the Department's public facing branch of the organization. Communication and participation by the Help Center Deputy Director are essential functions of the job and cannot be done with the current demands of running the Help Center.

The CEA A performs as an assistant to the Deputy Director with subordinate managers and their primary function is to assist with policy-making decisions, as well as, serve in the absence of the Deputy Director and/or to assist with ensuring proper oversight and administration of the program. Since 2014, the Help Center's workload has increased significantly and based on year-to-date data the increase will continue. Since January 2016, the Help Center assisted 27,574 callers and are projected to assist 82,722 by the end of 2016. This represents a 75% increase in calls which created 12,005 cases, resulting in a 30% increase from 2014. The significant increase in workload requires a better supervisory structure in place to provide guidance and support to staff on process improvements and guidance on how to handle complex cases. This new structure begins with the creation of the Assistant Deputy Director (CEA A) 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.

The DMHC is the only Managed Health Care Plan regulator in California responsible for the oversight of health plans with the intent of significantly improving quality control, accountability, and efficiency for its enrollees. As previously mentioned, the CEA A is responsible for the day-to-day operations of the Help Center which includes advising the Deputy Director and the Director's Office on complaint data used to identify systemic issues and to identify and recommend policy changes to address systemic issues and improve the managed health care delivery system. Once new legislation is passed, the CEA A is responsible for the development and implementation of policies, regulations, and programs designed to administer and enforce State laws specific to the Help Center operations and for taking an active role in assisting the Director to successfully achieve the Department's mission of protecting consumer health care rights and ensuring a stable health care delivery system.

The CEA A has a decisive role in the DMHC Help Center's policy-making and regular involvement in department-wide policy and program management for areas including, but not limited to ensuring enrollees receive available and accessible health and medical services rendered in a manner providing continuity of care and ensuring enrollees have their grievances expeditiously and thoroughly reviewed by the department.

An example of this role is the passage of SB X 1 2, requiring California law to conform to the Affordable Care Act requirements. SB X 1 2 mandates health plans that offer health coverage in the individual market accept every employer and individual in the state that applies for that coverage and must renew that coverage at the option of the health plan sponsor or the individual and prohibits health plans from imposing pre-existing condition exclusions and denials. As such, the CEA A's role is to develop, implement, and ensure the DMHC's grievance process encompasses these requirements.

An additional example is implementation of the Coordinated Care Initiative that shifted dual eligibles into managed care where approximately 1.1 million of the most expensive and medically complex beneficiaries transitioned into managed care beginning March 1, 2013. In order to safely implement transition of this vulnerable population into Medi-Cal managed care plans, it was essential that effective oversight and monitoring of the plans taking on responsibility for this population was in place. Implementation, staffing, and overall process improvements to ensure successful implementation are responsibilities of the new CEA A.

A final example is a topic of pending legislation - pharmaceuticals. The Help Center receives a high volume of complaints regarding Pharmacy issues. Some of the complaints regarding pain management involve mental health, drug rehabilitation, substance abuse, Rx Management and chiropractic care. At this time, enrollees file standard complaints or request Independent Medical Reviews if the opioid analgesic drug product is denied as not medically necessary. In 2015, the Help Center received approximately 385 calls related to the issue of pain medication, out of 385 contacts, 150 were Independent Medical Reviews and 100 were standard complaints. The CEA A is responsible for the policy development and implementation related to the new legislation regarding limiting pharmaceutical benefits for acute pain medication to a five-day supply.

**C. ROLE IN POLICY INFLUENCE (continued)**

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

The CEA A is responsible for establishing and directing the day-to-day statewide activities of the Help Center, which includes ensuring full service and specialized licensed health plans are in compliance with the Act as well as ensuring systemic issues are referred to the appropriate Office within the DMHC for further action. The CEA A assists the Deputy Director in policy-making decisions and acts with the same decision-making authority as the Deputy Director in their absence.

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

The CEA A will be responsible for continuous improvement of current policies and implementation of those policies in addition to being charged with the execution of new policies as new legislation is passed each year affecting how health plans are regulated. The CEA A will be responsible for evaluating current policies and procedures concerning new legislation impacting the Help Center, which includes identifying the impact, updating policies and procedures to align with new legislation, ensuring Help Center staff are trained, and evaluating the effectiveness of the changes.