

ARTICLE 1

Conflict of Interest

Section 1000. Conflict of Interest for the Department of Managed Health Care.

§ 1000. Conflict of Interest Code for the Department of Managed Health Care.

The Political Reform Act, Government Code Section 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation (Title 2, California Code of Regulations (CCR), section 18730), which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 CCR, section 18730, and any amendments to it, duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This section 1000, the attached Appendix, along with 2 CCR section 18730, designating officials and employees and establishing disclosure categories, shall constitute the Conflict of Interest Code of the Department of Managed Health Care (Department).

The Director shall file his/her statement of economic interests electronically with the Fair Political Practices Commission. All other individuals holding designated positions shall file their statements with the Office of Legal Services of the Department, which will make statements available for public inspection and reproduction under Government Code Section 81008. All other statements will be retained by the Office of Legal Services of the Department.

Appendix A

DEPARTMENT OF MANAGED HEALTH CARE

DESIGNATED POSITIONS ASSIGNED DISCLOSURE CATEGORY (IES)

OFFICE OF THE DIRECTOR

Director, Department of Managed Health Care 1, 5

Chief Deputy Director, all levels, wherever assigned 1, 5

Deputy Directors, all levels, wherever assigned 1, 5

Division Chiefs, all levels, wherever assigned 1, 5

CEAs, all levels, wherever assigned 1, 5

Staff Services Managers, all levels 2, 3

Associate Governmental Program Analysts, all levels 3, 4

Attorneys, supervisory and non-supervisory, all levels 1

Information Officers, all levels, wherever assigned 2, 3

~~Health Program Specialists/Advisers~~, all levels 2, 3
~~Medical Advisors~~ to the Director's Office 2, 3
~~Health Policy Advisor~~, all levels 2, 3
~~Research Program Specialist~~ 2, 3
Research Data Specialist, all levels 2, 3

OFFICE OF ADMINISTRATIVE SERVICES

~~Accounting Administrator II~~ 4
Staff Services Managers, all levels 4
Associate Governmental Program Analysts (Procurement and Contracts unit), all levels 4

OFFICE OF ENFORCEMENT

Assistant Chief Counsel, all levels 1, 5
Attorneys, supervisory and non-supervisory, all levels 1
Legal Analysts, all levels 2, 3
Associate Governmental Program Analysts, all levels 3, 4
Staff Services Managers, all levels 2, 3
~~Corporations Investigators~~, all levels 2, 3
Special Investigator, supervisory and non-supervisory, all levels 2, 3

HELP CENTER

Assistant Chief Counsel, all levels 1, 5
~~Health Program Manager~~, all levels 2, 3
Health Program Specialists, all levels 2, 3
Staff Services Managers, all levels 2, 3
Associate Governmental Program Analyst, all levels 3
Legal Analysts, all levels 2, 3
Nurses, all levels 2, 3
Attorneys, supervisory and non-supervisory, all levels 1
Staff Services Analysts, all levels 2, 3
~~Associate Health Program Analysts~~, all levels 2, 3
~~Health Care Service Plan Analysts~~, all levels 2, 3
Research Data Analyst, all levels 3

OFFICE OF FINANCIAL REVIEW

Examiners, supervisory and non-supervisory, all levels 2, 3
Actuaries, supervisory and non-supervisory, all levels 2, 3
Auditors, supervisory and non-supervisory, all levels 2, 3
Staff Services Managers, all levels 2, 3
Associate Governmental Program Analyst, all levels 3
~~Health Program Specialists~~, all levels 2, 3

~~Associate Health Program Advisors, all levels 2, 3~~

OFFICE OF LEGAL SERVICES

Assistant Chief Counsel, all levels 1, 5

Attorneys, supervisory and non-supervisory, all levels 1

Staff Services Managers, all levels 2, 3

Legal Analysts, all levels 2, 3

Health Program Specialist, all levels 2, 3

OFFICE OF PLAN LICENSING

Assistant Chief Counsel, all levels 1, 5

Attorneys, supervisory and non-supervisory, all levels 1

Staff Services Managers, all levels 2, 3

~~Associate Health Program Advisors, all levels 2, 3~~

Health Program Specialists, all levels 2, 3

~~Health Program Managers, all levels 2, 3~~

Associate Governmental Program Analysts, all levels 3

OFFICE OF PLAN MONITORING

Assistant Chief Counsel, all levels 1, 5

Attorneys, supervisory and non-supervisory, all levels 1

Staff Services Managers, all levels 2, 3

Health Care Service Plan Analysts, supervisory and non-supervisory, all levels 2, 3

Health Program Specialists, all levels 2, 3

Associate Governmental Program Analysts, all levels 3

Associate Health Program Advisor, all levels 2, 3

Health Program Managers, all levels 2, 3

OFFICE OF TECHNOLOGY AND INNOVATION

~~Data Processing Managers, all levels 4~~

~~Information Systems Analysts, all levels 4~~

~~System Software Specialists, all levels 4~~

~~Programmer Analysts, all levels 4~~

Information Technology Managers, all levels 4

Information Technology Supervisors, all levels 4

Information Technology Specialists, all levels 4

Consultants/New Positions 1

1 Consultants/New Positions shall disclose pursuant to the broadest disclosure category in the code (Category 1) subject to the following limitations:

The Director of the Department may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure

requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Director's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. Nothing herein excuses any such consultant from any other provisions of this Conflict of Interest Code.

Appendix B

Disclosure Categories

Category 1:

Each designated position in this category shall report:

Investments and business positions in business entities, and income (including the receipt of loans, gifts, and travel payments), from any source that are subject to the regulatory, permit or licensing authority of, or have an application for a license or permit pending before, the Department.

* has been the subject of or participated in any legislation or rulemaking activity, any decision, order, or rule issued or enforced by the Department;

* is exempted from the provisions of the Knox-Keene Health Care Service Plan Act of 1975, as amended by rule of the Director;

* provides medical and health care services and supplies such as hospitals, medical groups, risk-bearing organizations (RBOs), independent practice associations (IPAs), pharmaceutical companies, retail pharmacies, surgical centers, and ambulance companies;

* filed or has pending, a grievance, complaint, or enforcement matter with the Department for whom you made or participated in making the decision, or influenced the outcome of the decision, regarding the grievance or complaint within the past 24 months;

* provided, serviced or installed goods, services, supplies, materials, machinery, equipment, telecommunications, information technology or consulting services utilized by the Department;

Category 2:

Each "designated position" in this category shall report:

Investments and business positions in business entities, and income (including the receipt of loans, gifts, and travel payments), from any source that provides medical and health care services and supplies such as hospitals, medical groups, risk-bearing

organizations (RBOs), independent practice associations (IPAs), pharmaceutical companies, retail pharmacies, surgical centers, and ambulance companies.

Category 3:

Each designated position in this category shall report:

Investments and business positions in business entities, and income (including the receipt of loans, gifts, and travel payments), from any source that filed or has pending, a grievance, complaint, or enforcement matter with the employee's division for whom you made or participated in making the decision, or influenced the outcome of the decision, regarding the grievance or complaint within the past 24 months.

Category 4:

Each designated position in this category shall report:

Investments and business positions in business entities, and income (including the receipt of loans, gifts, and travel payments), from any source that has provided goods, services, supplies, materials, machinery, equipment, telecommunications, or consulting services utilized by the employee's division.

Category 5:

Each designated positions in this category shall report:

Investments and business positions in business entities, and income (including the receipt of loans, gifts, and travel payments), from sources that has interests in commercial real property, used in the delivery of healthcare services administrated by the Department:

* has sources of income from commercial real property in which the Department has an office;

* from any source that engages in land development, construction or the acquisition or sale of real property used in any way in the delivery or regulation of health care services administrated by the Department.

NOTE: Authority cited: Section 1344, Health and Safety Code; Section 87300, Government Code. Reference: Sections 87300-87302 and 87306, Government Code (the Political Reform Act).