

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

07/01/2024

2. Department

California Department of Veterans Affairs (CalVet)

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

Policy and Compliance Unit

4. CEA Position Title

Director of Policy and Compliance

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

CalVet's mission is to serve California veterans and their families. This position ensures that CalVet operates in full compliance with all relevant regulations and standards, promotes best practices, and fosters a culture of continuous improvement and excellence in service delivery across the agency.

6. Reports to: (Class Title/Level)

Undersecretary - Exempt

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): Reports directly to the Undersecretary. Meets weekly with the Secretary, Undersecretary, and the Veterans Homes Administrators.

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.

The Director of Policy and Compliance leads and manages all regulatory compliance and quality improvement efforts across the entire department. The role encompasses oversight of clinical, financial, and administrative compliance, ensuring the agency adheres to all federal, state, and local regulations, and implements best practices in all operational areas. The incumbent is responsible for the strategic development, implementation, and oversight of policies and procedures that guarantee compliance, mitigate risks, and enhance overall organizational performance.

The Director of Policy and Compliance exercises broad authority over all aspects of CalVet's operations. This role ensures that CalVet operates in full compliance with all relevant regulations and standards, promotes best practices, and fosters a culture of continuous improvement and excellence in service delivery across the agency.

Compliance and Policy Development: Policy Leadership, Compliance Programs, Emergency Preparedness, and Regulatory Adaptation.

Quality and Risk Management: Agency-Wide Oversight, Performance Monitoring, and Strategic Improvement.

Financial Compliance and Oversight: Financial Integrity, Audit Management and Budgetary Compliance.

Clinical and Operational Oversight: Clinical Services Manager and Operational Audits.

Policy Standardization and Direction: Policy consistency and Regulatory Alignment.

Enterprise-Wide Compliance Program: Corporate Compliance, Committee Oversight, and Correction Action.

Represent CalVet at legislation hearings and other forums as a regulatory and subject-matter expert.

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: CalVet's mission is to serve and honor all California veterans by connecting them and their families with their earned benefits through education, advocacy, and direct services. This position ensures CalVet operates in full compliance with all relevant regulations and standards which allows CalVet to provide the quality of care deserving of our veterans in our veterans homes.

The Policy and Compliance Unit is of the highest degree of criticality to the department. Licensure of the veterans homes is in jeopardy if they fail to pass the Centers for Medicare and Medicaid Services (CMS) certification. If they fail, CalVet would have to relocate residents to other facilities and the health and safety of our residents would be at risk.

Failure to stay in regulatory compliance with state or federal laws would cause discredit to the Department; public scrutiny; negative media attention; and require hearings/testimony in front of the Legislature and Governor.

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.

Over recent years, several key changes have created a pressing need for the Director of Policy and Compliance at CalVet. Firstly, the regulatory environment has become increasingly complex. Agencies like the Centers for Medicare and Medicaid Services (CMS) and new state mandates, such as the California Consumer Privacy Act (CCPA), have imposed more stringent requirements on compliance. This complexity means that any failure to meet these standards could result in significant consequences, such as losing CMS certification, which would necessitate relocating residents and potentially compromising their safety.

Moreover, there is now a heightened focus on operational excellence and quality improvement. As the demand for adopting best practices in both healthcare and administrative processes grow, CalVet must ensure that it consistently delivers top-quality services to veterans. For instance, the implementation of comprehensive quality improvement programs in infection control and clinical services is essential to enhance patient safety and care outcomes.

In addition to these internal pressures, public and legislative scrutiny has significantly increased. There is a stronger demand for transparency and accountability in the delivery of veteran services. Non-compliance or operational failures can quickly lead to negative media coverage and legislative hearings, putting CalVet under intense public scrutiny. As the agency expands its facilities and services, the complexity of maintaining consistent compliance across new and diverse operational areas also grows. Managing the unique regulatory and operational challenges that come with opening new veterans homes or expanding existing services requires robust policy oversight.

Furthermore, emerging risks such as cybersecurity threats and the need for pandemic preparedness have underscored the importance of proactive risk management. Protecting sensitive veteran data from breaches and ensuring readiness for public health emergencies demand strategic compliance and risk mitigation efforts.

Given these significant changes, the necessity for a Director of Policy and Compliance at CalVet is clear. This position will provide enhanced oversight to navigate the increasingly complex regulatory landscape, ensuring that all divisions adhere to the latest standards and preventing the risk of non-compliance. The Director will lead the strategic development of policies that align with best practices, maintaining high-quality and compliant care. Additionally, this role will address emerging risks with proactive management strategies, safeguard operational integrity, and represent CalVet effectively in public and legislative forums. This leadership is crucial as CalVet continues to grow, ensuring efficient operations and maintaining the high standards of care and service expected for California's veterans.

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 Director of Policy and Compliance at CalVet will be the principal policy maker in several critical areas, each of which has significant statewide impacts on the delivery of services to California's veterans.

1. Regulatory Compliance and CMS Certification: One of the key areas where the Director will lead policy development is in ensuring compliance with the Centers for Medicare and Medicaid Services (CMS) certification standards. This involves creating and overseeing policies that guarantee all CalVet veterans homes meet the stringent requirements set by CMS. For example, the Director will develop comprehensive infection control policies that align with federal guidelines to prevent outbreaks and ensure resident safety. Statewide, maintaining CMS certification for these homes is crucial, as it directly impacts the quality of care that veterans receive. Losing certification would not only force the relocation of residents but also undermine public trust and the department's ability to operate effectively.

2. Emergency Preparedness and Response: The Director will also spearhead policies related to emergency preparedness and response across CalVet's facilities. This includes crafting and implementing robust business continuity plans tailored to the unique needs of each veterans home and division. A specific policy might involve detailed procedures for evacuation and shelter-in-place scenarios during natural disasters like wildfires or earthquakes, which are frequent in California. Statewide, these policies are vital for ensuring the safety and security of veterans in emergency situations. Effective emergency preparedness policies mitigate risks and enhance the department's ability to respond swiftly and effectively to crises, thereby protecting the lives and well-being of thousands of veterans under CalVet's care.

3. Financial Compliance and Audit Management: In the realm of financial oversight, the Director will establish policies that ensure fiscal operations are transparent, accountable, and compliant with all regulatory requirements. This includes managing internal and external audit processes and addressing any deficiencies identified during these audits. For instance, a policy might mandate regular internal audits and require corrective action plans to address any issues found. On a statewide level, these financial compliance policies are essential for maintaining the integrity and efficiency of CalVet's operations. They ensure that funds are used appropriately and effectively, which is critical for sustaining public trust and securing ongoing funding from state and federal sources.

4. Quality and Risk Management: Another significant area of policy making is in quality improvement and risk management. The Director will lead the development of policies that set standards for performance measurement and continuous quality improvement across all CalVet operations. An example policy could be the implementation of a standardized performance review system for evaluating clinical outcomes and administrative efficiency. Statewide, such policies ensure that CalVet consistently provides high-quality services and care to veterans. By fostering a culture of continuous improvement, these policies help identify areas for enhancement, streamline operations, and ultimately improve the overall service delivery to veterans across California.

5. Data Protection and Privacy Compliance: Lastly, the Director will be responsible for policies governing data protection and privacy, particularly compliance with regulations like the California Consumer Privacy Act (CCPA). These policies will cover how CalVet handles sensitive personal information of veterans, including data collection, storage, and sharing practices. For instance, a specific policy might establish strict protocols for securing electronic health records and conducting regular cybersecurity audits. Statewide, these policies are crucial for safeguarding the personal information of veterans and ensuring that CalVet's operations comply with evolving privacy laws. Effective data protection policies help prevent data breaches and maintain the trust of veterans and their families in CalVet's ability to manage their information securely.

In summary, the Director of Policy and Compliance will be the principal policy maker in these areas, driving initiatives that have significant and far-reaching impacts on CalVet's ability to serve California's veterans with excellence and integrity.

C. ROLE IN POLICY INFLUENCE (continued)

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

The Director of Policy and Compliance at CalVet occupies a pivotal role with broad decision-making authority that spans across various aspects of the department's operations. This role is instrumental in developing, implementing, and overseeing comprehensive policies and procedures that ensure compliance with federal, state, and local regulations. The Director has the autonomy to make high-level strategic decisions on regulatory compliance, quality improvement, and risk management. These decisions directly impact how CalVet aligns with legal standards and operational best practices, influencing the agency's ability to deliver high-quality services to veterans.

Given the scope of the role, the Director's decisions profoundly affect multiple facets of CalVet. Firstly, they impact all employees within the agency, from administrative staff to clinical workers in the veterans homes. For example, policies on operational audits and performance evaluations set by the Director will shape the day-to-day responsibilities and professional expectations of CalVet's workforce. Secondly, the Director's decisions have a substantial impact on the residents of the veterans homes and their families. Effective policy leadership ensures that the care and services provided meet the highest standards of safety and quality, directly affecting the well-being of veterans.

Additionally, the Director's authority extends to influencing the financial integrity of CalVet. Decisions related to financial compliance and audit management safeguard the department's fiscal operations, ensuring they are transparent and accountable, which is crucial for maintaining public trust and securing funding. Furthermore, the Director's role in shaping emergency preparedness and data protection policies is vital for mitigating risks and protecting sensitive information, thereby maintaining the overall security and resilience of the agency.

In summary, the Director of Policy and Compliance holds significant decision-making authority that impacts employees within CalVet, the veterans and families served by the agency, and the department's financial and operational integrity. This role is essential in guiding CalVet through complex regulatory landscapes and ensuring its continuous commitment to excellence in serving California's veterans.

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

The CEA (Director of Policy and Compliance) position at CalVet will primarily involve both developing and interpreting policy, with a strong emphasis on implementing existing frameworks as well. Here's how this dual role manifests:

Developing New Policy:The Director will actively develop new policies to ensure CalVet's compliance with evolving federal, state, and local regulations. For instance, in response to changes in healthcare standards or data protection laws like the CCPA, the Director will lead the creation of updated policies. These efforts will involve conducting research, consulting with stakeholders, and drafting comprehensive guidelines to address emerging challenges and improve operational efficiency.

Interpreting Existing Policy:Equally important is the role of interpreting existing policies to ensure consistent compliance across CalVet's operations. This involves clarifying ambiguous aspects of current policies, providing guidance to staff on implementation, and ensuring that all actions align with legal requirements and departmental standards. For example, interpreting CMS regulations to establish clear procedures for quality improvement initiatives or emergency preparedness plans.

Implementation:Once policies are developed or interpreted, the Director will oversee their implementation throughout the organization. This includes coordinating with departmental leaders, conducting training sessions to ensure staff understanding and compliance, and monitoring adherence to policy guidelines through regular audits and assessments. Effective implementation ensures that policies translate into tangible improvements in veteran care, operational efficiency, and regulatory compliance.

In summary, while the CEA position involves both developing new policies to meet evolving regulatory landscapes and interpreting existing ones to ensure compliance, the overarching goal is to implement these policies effectively across CalVet. This comprehensive approach is crucial for maintaining high standards of care, operational integrity, and public trust in the department's services to California's veterans.