Mission

The mission of the Department of Community Health is to provide access to affordable, quality health care to Georgians through effective planning, purchasing, and oversight.

We are dedicated to A Healthy Georgia.
The Georgia Department of Community Health (DCH) is one of Georgia’s four health agencies serving the state’s growing population of almost 10 million people. Responsible for a $14 billion budget for State Fiscal Year 2017, the department is one of the largest agencies in Georgia state government.

Serving as the lead agency for Medicaid and also overseeing the State Health Benefit Plan (SHBP), Healthcare Facility Regulation in Georgia, DCH’s programs provide access to health care services for one in four Georgians.

Through effective planning, purchasing and oversight, DCH provides access to affordable, quality health care to millions of Georgians, including some of the state’s most vulnerable and underserved populations.

At least seven enterprise offices support the work of the agency’s three programs, with more than 900 DCH employees based in Atlanta, Cordele and across the state.

Frank W. Berry serves as Commissioner of the Department of Community Health.
DCH DIVISIONS & OFFICES

- **Medicaid**, the largest division in the Georgia Department of Community Health, is administered by the Medical Assistance Plans Division and provides health care for children, pregnant women, and people who are aging, blind and/or disabled.

- **State Health Benefit Plan** serves as the state's administrator of health insurance coverage for State employees, Teachers, Public School employees, Retirees, and Former Employees, and Covered Dependents.

- **Health Facilities Regulation** is responsible for health care planning, licensing, certification and oversight of various health care facilities and services in Georgia.
DCH DIVISIONS & OFFICES

- **Office of the General Counsel** provides legal guidance and support to the Commissioner, the Board of Community Health and all divisions and offices within DCH, including support in administrative and judicial cases. The office oversees the work of four sections: Medicaid Legal Services; Contracts Administration; HIPAA Compliance; and Public Records.

- **Office of the Inspector General** (OIG) safeguards the integrity of the department from both internal and external risks. The office remains diligent in its oversight to detect, prevent and investigate waste, fraud and abuse in Medicaid, PeachCare for Kids®, the State Health Benefit Plan, as well as all other agency programs and operations.

- The **Office of Health Planning** administers the Certificate of Need Program, conducts reviews of Design and Construction projects, and administers the Managed Care Patient’s Rights program. Health Planning also collects and maintains various health care facility surveys including the Hospital Financial Survey and Annual Hospital Questionnaire and coordinates state health planning activities.

- **Communications & Legislative Affairs** serves as the department’s internal and external outreach arm responding to the department’s diverse information, communications and marketing needs and is the agency’s primary point of contact for all activities involving the Georgia General Assembly and governmental relations.

- **Financial Management** is responsible for the financial interests of the department. This includes the budgeting and accounting for the funds appropriated to DCH.

- **Information Technology** (IT) oversees all technology systems supporting the work of the agency.

- **Operations** is comprised of administrative and program offices which include Offices of Vendor Management, Human Resources, and Support Services.
• Office of the General Counsel Sections
  – Medicaid Legal Services: Provides legal services for the Medicaid and PeachCare for Kids® programs, including representation of the Department in administrative proceedings, litigation support to the Department of Law, and research, drafting, and review of Medicaid and PeachCare for Kids policies and procedures.
  – Contracts Administration
  – HIPAA Compliance
  – Public Records
• Responsibilities
  – Administrative Appeals before the Office of State Administrative Hearings
    • Member Appeals
      – § 1915 Home and Community Based Waivers: Georgia Pediatric Program (GAPP), Katie Beckett, Service Options Using Resources in Community Environments (SOURCE), Community Care Services Program (CCSP), Independent Care Waiver Program (ICWP)
      – Fullard
    • Provider Appeals
      – Credentialing of Physicians, Dentists, Pharmacists, etc.
      – Recoupment of Electronic Health Record Incentive Payments
  – Program Liaison
    • Policy Discussions and Revisions
    • Summary Report for Medicaid Legal Services Section
  – DCH Employee Presentations
DCH MEDICAID
LEGAL SERVICES ATTORNEY

• Workload
  – Case Development (60%)
    • Review case files
    • Client discussions (DCH programs specialists)
    • Interview witnesses
    • Research relevant case law and CFRs
    • Request and review supplemental documentation
    • Draft and respond to motions (summary determination, request to stay, request to continue, reconsideration)
    • Conduct pre hearing conferences (with and without court personnel)
    • Draft status reports
    • Create exhibit notebooks
    • Conduct witness preparation meetings (telephone and in person)
    • Discuss settlement with petitioners
    • Draft settlement agreements
    • Appear before the Office of State Administrative Hearings (OSAH) for final hearings
    • Appear before the DCH Hearing Officer / Administrative Review Officer in matters appealed from OSAH to the Commissioner
  – Participate in Program Liaison Meetings, Reporting & Policy Review (20%)
  – Prepare & Present Lunch and Learns for DCH Employees (10%)
  – Ad Hoc Projects & Assignments (10%)
MY CAREER PATH

BACHELOR DEGREE

1ST STATE AGENCY
(defense construction & facilities planning, and design bids, RFPs & RFQs)

2ND STATE AGENCY
(SSA disability decisions)

2-YR CLERKSHIP
(General jurisdiction state trial court)

JURIS DOCTOR

LAW FIRM ASSOCIATE
(General Practice Firm)

SOLO PRACTITIONER

MASTER OF BUSINESS ADMINISTRATION

DCH LEGAL SERVICES ATTORNEY
TIPS FOR ENTERING GOVERNMENT HEALTH LAW ROLES

1. Fine-tune written and oral advocacy and research skills
2. Read health law journals (ex.: *The Health Lawyer*) and cited opinions
3. Join and participate in the ABA’s and local bar associations’ health law sections
4. Follow health law agencies and professional organizations on social media
5. Follow-up after meeting a person in an agency or position of interest
6. Pursue J.D. advantage and attorney opportunities with state and federal agencies that align with your goals
7. Advocate for yourself as well as you advocate for your clients
QUESTIONS?

Thank you!
Careers In Health Law: A Look at Government

DeKeely Hartsfield, JD, MPH
Senior Attorney
Centers for Disease Control Branch
Public Health Division
Office of the General Counsel
U.S. Department of Health and Human Resources
Disclaimer

The views expressed are those of the presenter and do not necessarily represent the policy positions of the U.S. Department of Health and Human Services or CDC.
U.S. Department of Health and Human Services

- HHS is one of the largest cabinet-level departments

- 11 operating divisions or agencies
  - Agency for Children and Family Services
  - Administration for Community Living
  - Agency for Healthcare Research and Quality
  - Agency for Toxic Substances and Disease Registry
  - Centers for Disease Control and Prevention
  - Centers for Medicare and Medicaid Services
  - Food and Drug Administration
  - Health Resources and Services Administration
  - Centers for Medicare and Medicaid Services
  - Indian Health Service
  - National Institutes of Health
  - Substance Abuse and Mental Health Services Administration

- Several Staff Divisions
U.S. Department of Health and Human Services (HHS) 
Office of the General Counsel (OGC)

- HHS OGC is a legal team with over 400 attorneys and a comprehensive support staff

**PHILOSOPHY**: to provide the highest quality legal services in order to assist the Department in establishing and maintaining programs that advance health and human services.

**GOAL**: to assist the client in achieving its objectives in a manner that will withstand legal challenge.
How IS HHS OGC Organized?

EIGHT DIVISIONS:

- General Law Division
- Civil Rights Division
- CMS Division
- Children, Families, and Aging Division
- Legislation Division
- Ethics Division
- Public Health Division
  - CDC Branch
- Food and Drug Division
- Regional Offices
What Is the Job of a CDC Program Attorney?

- Provide Legal Advice
- Interpret Statutory and Regulatory Authority
- Assist in Rulemaking Dockets and Federal Register Notices
- Review Documents for Legal Sufficiency
- Provide Training
- Contact Point for Government and Private Attorneys
- Assist DOJ in Civil Litigation and Criminal Prosecutions

Our job is to provide legal advice and not to make policy.
CDC’s Authorities
for Conducting Public Health Activities

CDC’s underlying authorities for conducting public health activities and furthering its mission include, but are not limited to:

• The Public Health Service Act
• The Patient Protection and Affordable Care Act
• The Public Health Security and Bioterrorism Preparedness and Response Act of 2002
• Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act (SARA)
• Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA)
• Federal Mine Safety and Health Acts of 1969 and 1977
• Occupational Safety and Health Act of 1970
• James Zadroga 9/11 Health and Compensation Reauthorization Act
• Appropriation Laws
My Career Path

- BS in Health & Exercise Science
- Master of Public Health (MPH) in Health Policy
  - Interdisciplinary Fellowship, Center for Health, Culture and Society
- U.S. Presidential Management Fellows (PMF) Program
- CDC, National Institute for Occupational Safety and Health (NIOSH)
- JD
  - Turner Environmental Law Clinic
- CDC NIOSH
- HHS OGC, Public Health Division, CDC Branch
  - NIOSH
  - National Center for HIV/AIDS, Viral Hepatitis, STD and TB Prevention
CDC is THE Reference Unit for the Country and the World

Infectious diseases (reference, diagnosis, science)

Preparedness and response (bioterrorism, outbreaks, disasters)

Laboratory standards and science (quality and laboratory standardization)

Environmental health (genetics, nutrition, chemicals, toxins)

Occupational safety and health (workplace safety)

Global health (HIV, malaria, TB, emerging diseases)
Public Health Law

- **Scientific regulations**
  - Research involving human subjects
    - Common Rule
    - Institutional review Boards (IRBs)
    - Paperwork Reduction Act (OMB)
    - Confidentiality/Privacy
  - Research involving animals
    - Public Health Service Act
  - Research involving select agents

- **Scientific integrity**
  - Research misconduct; Conflict of interest for outside activities

- **Data sharing**
  - With the states, from whom most of the data originates;
  - With the requestors (FOIA)
Public Health Law

- **Field/outbreak investigations**
  - Infectious diseases, environmental issues
- **Major topical areas**
  - Tobacco, food, road, and occupational safety
- **Quarantine and travel restrictions**
- **Technology transfer**
  - Licenses, patents, royalties
- **International work**
  - International Health Regulations; Declaration of Helsinki
  - Work with other governments and Non-governmental organizations
- **Funding others to conduct scientific activities**
  - Grants, contracts, cooperative agreements, inter-agency agreements
Current Matters

- Advise
  - National Institute for Occupational Safety and Health
  - National Center for HIV/AIDS, Viral Hepatitis, STD and TB Prevention
- APA Litigation
- Logo Licensing Committee
- Provide Training
Lessons Learned

- Life is full of golden opportunities...carefully disguised as irresolvable problems.
  - John Gardner

- It is wiser to find out than to suppose.
  - Attributed to Mark Twain

- You can’t have public health without working with the public sector.
  - Paul Farmer

- I can assure you, public service is a stimulating, proud and lively enterprise. It is not just a way of life, it is a way to live fully. Its greatest attraction is the sheer challenge of it – struggling to find solutions to the great issues of the day. It can fulfill your highest aspirations. The call to service is one of the highest callings you will hear and your country can make.
  – Lee H. Hamilton, Chairman of 9/11 Commission
Thank You,

DeKeely Hartsfield
404-639-2216
dhartsfield@cdc.gov

For more information please contact Centers for Disease Control and Prevention

1600 Clifton Road NE, Atlanta, GA 30333
Telephone: 1-800-CDC-INFO (232-4636)/TTY: 1-888-232-6348
Visit: www.cdc.gov | Contact CDC at: 1-800-CDC-INFO or www.cdc.gov/info

The findings and conclusions in this report are those of the authors and do not necessarily represent the official position of the Centers for Disease Control and Prevention.
Careers in Health Law
A Look at Government

Kathleen Scully-Hayes
Associate Chief Administrative Law Judge
Office of Hearings Operations
Social Security Administration
Current job: Associate Chief Administrative Law Judge for National Workload Assistance for SSA

• Oversee the offices that do disability hearings by video around the country and the offices that draft disability decisions

  • 5 National Hearing Centers

  • 4 National Case Assistance Centers

  • 85 Administrative Law Judges
  • **300-400 attorneys** – most were hired right out of law school
  • 400 paralegals, legal assistants, and administrative support staff
How did I get here?

• Special education teacher for 10 years
  • Went to DePaul University law school at night while teaching
  • Planned to be a special education advocate
    Did not want to be a lawyer for the school systems
    Couldn’t afford to be a solo practitioner and still pay my law school bills!
How I got here, cont.

• DePaul Health Law Journal
  
  • I was interested in mental health, so I worked on the Journal – covered all aspects of Health Law

• Certificate in Health Law
  
  • Medicare and Medicaid Reimbursement classes
First job!

• On campus interview:

• U.S. Department of Health and Human Services
  • 6 years with the Office of the General Counsel for the Health Care Financing Administration (HCFA), now known as the Centers for Medicare and Medicaid Services (CMS)

  • 13 years with the CMS Office of Hearings as Director and as Medicaid Hearing Officer
Career goal: Administrative Law Judge

• Went through the OPM process to become an ALJ and was selected in 2008 as an ALJ for The Social Security Administration
• Assigned to the Wilkes-Barre, PA hearing office for 4 months
• Baltimore Hearing Office chief ALJ from 2009-2012
• Associate Chief 2012-present

• Have spent 29 years as a government attorney!
Why I looked at the Government for my first job as a lawyer

Work life balance:

2 little kids + 1 working spouse

Benefits: vacation and sick leave
Why I stayed with the government

• The work was interesting and challenging
  • Both CMS and SSA directly impact the lives of all Americans

• I got great experience immediately
  • I was writing briefs and arguing motions in federal court within the first two years

• I had options
  • I could stay in OGC, or go into the agency; I could work on policy or stay in litigation
  • Most agencies have offices in multiple cities
Tips – for getting that government job

• Be open to all possibilities – don’t limit your options

  Getting in as an entry level attorney opens up multiple opportunities

• If at first you don’t succeed – try again

  • job openings often depend on budgets – and special initiatives
Tips cont.

• **Network, Network, Network**
  - Join organizations like the ABA Health Law Section; local bar associations
    - Attend programs, join a committee
  - Use your Law School Career Center – SSA has hired 200 or more attorneys each year for the last several years – jobs are routinely advertised at local law schools as well as USAJobs.gov

• **Volunteer**
  - Is there a government agency in your city? If they don’t have paid clerkships – ask about volunteer opportunities
Tips for once you have that government job!

Take time to really learn the job you were hired to do

Look for detail opportunities

Volunteer for cross-component projects
Questions?

• Kathleen.Scully-Hayes@SSA.gov