# POSITION DESCRIPTION

**GENERAL COUNSEL, Department OF HEALTH AND HUMAN SERVICES**

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| **OVERVIEW** | | |
| Senate Committee | Finance | |
| Agency Mission | To enhance and protect the health and well-being of all Americans by providing effective health and human services and fostering advances in medicine, public health and social services. | |
| Position Overview | The Office of the General Counsel (OGC) is responsible for providing legal advice to the secretary of the Department of Health and Human Services (HHS). The OGC supports the development and implementation of the department’s programs by providing the highest-quality legal services to the HHS secretary and the organization’s various agencies and divisions. | |
| Compensation | Level IV $155,500 (5 U.S.C. § 5315)[[1]](#endnote-1) | |
| Position Reports to | Secretary of Health and Human Services | |
| **RESPONSIBILITIES** | | |
| Management Scope | In fiscal 2015, HHS had $1,028 billion in outlays and 63,324 total employment. The HHS Office of General Counsel has more than over 400 attorneys nationwide in eight headquarters offices and 10 regional offices. The office is comprised of three principal subcomponents: the immediate office, headquarters divisions and regional offices. Each headquarters division is led by an associate general counsel, and each of the 10 regional offices is led by a chief counsel. The eight headquarters divisions consist of the following: the General Law Division (GLD), Children, Families and Aging Division (CFAD), Ethics Division (ETH), Civil Rights Division (CRD), Centers for Medicare and Medicaid Division (CMSD), Food and Drug Division (FDD), Legislation (LEG) and Public Health Division (PHD). | |
| Primary Responsibilities | * Supervises the work of the Immediate Office of the General Counsel, the eight headquarters divisions and the 10 regional offices * Provides legal advice to the entire department, including its 11 operating divisions * Oversees legal services addressing issues such as cancer research; privacy of medical records; contract disputes litigation; victims of human trafficking; faith-based and community initiatives; welfare reform; Medicare-Medicaid; child welfare; Head Start; alternatives to institutional care; civil rights; Indian health; bioterrorism programs; food safety; child support enforcement; refugee resettlement; organ donation; genetic testing; nursing home care; drug approvals; foster care and adoption assistance; nursing home bankruptcies; fraud, waste and abuse; district and appellate court litigation; vaccine procurement and distribution | |
| Strategic Goals and Priorities | [Depends on the policy priorities of the administration] | |
| **REQUIREMENTS AND COMPETENCIES** | | |
| Requirements | * Accomplished and widely respected attorney with experience serving as a key and trusted advisor to executive leadership/clients * Strong and broad background in health care law, including regulatory process and compliance, and in social services * Experience/understanding of health care policies and related regulatory issues * Proven track record of addressing highly complex legal matters across an unusually broad spectrum of issue areas * Significant management experience | |
| Competencies | * Highly effective leader, with the highest standards of personal and professional integrity * Ability to manage and provide legal advice on an exceptionally diverse range of highly visible national issues, usually under time constraints and political sensitivities * Ability to creatively solve problems and offer solutions * Ability to provide strategic and pragmatic counsel * Effective across large, complex organizations * Skill at remaining calm and cool under pressure * Facility for developing and maintaining a strong network of relationships inside and outside the organization * Impeccable judgment * Discretion and confidentiality of legal advice—a crucial trait * Superb communications skills, both oral and written | |
| **PAST APPOINTEES** | | |
| Margaret (Peggy) M. Dotzel, Acting General Counsel (2016-2017) Previously: Deputy General Counsel, HHS, 2011-2016; Special Counsel, Zuckerman Spaeder LLP, 2003-2010; Associate Commissioner for Policy, Food and Drug Administration, 2000-2003; Acting Associate Commissioner for Policy, Food and Drug Administration, 1999-2000; Senior Policy Advisor, Food and Drug Administration, 1995-1999; Associate, Wilmer, Cutler and Pickering, 1990-1995. | |
| William B. Schultz, General Counsel (2011-2016) Previously: Partner, Zuckerman Spaeder, 2001-2011; Deputy Assistant Attorney General-Civil Division, Department of Justice, 1999-2000; Deputy Commissioner for Policy, Food and Drug Administration, 1994-1999; Counsel, Energy and Commerce Committee’s Subcommittee on Health and the Environment, House of Representatives, 1989-1994; Litigator, Public Citizen Litigation Group, 1976-1989. | |
| Preeya Noronha Pinto, Acting General Counsel (December 2008-January 2009) Previously: Principal Deputy General Counsel, HHS, 2008-2008; Deputy General Counsel, HHS, 2007-2008; Trial Attorney-Civil Division, Department of Justice, 2002-2007. | |
| Thomas Barker, Acting General Counsel (April 2008-December 2008) Previously: Counselor to the Secretary for Health Policy, HHS, 2005-2008; Deputy General Counsel, 2003-2005; Counselor to the Administrator, Centers for Medicare & Medicaid Services, HHS, 2001-2003; Regulatory Counsel, Massachusetts Hospital Association, 1998-2001; Directory, Health Policy, Massachusetts Hospital Association, 1992-1998. | |
| Daniel Meron, General Counsel (2006-2007) Previously: Principal Deputy Assistant Attorney General-Civil Division, Department of Justice, 2003-2006; Appellate & Regulatory Litigation Partner, Sidley Austin; Law Clerk, Associate Justice Anthony M. Kennedy, Supreme Court, 1994-1995. | |
| Alex M. Azar, General Counsel (2001-2005) Previously: Partner, Wiley Rein LLP, 1996-2001; Associate Independent Counsel, Office of the Independent Counsel, 1994-1996; Law Clerk, Associate Justice Antonin Scalia, Supreme Court, 1992-1993. | |

# Endnotes

This position description was created with the help of Russell Reynolds Associates, a global executive search firm.

1. The Consolidated Appropriations Act, 2017 (Public Law 115-31, May 5, 2017), contains a provision that continues the freeze on the payable pay rates for certain senior political officials at 2013 levels during calendar year 2017. [↑](#endnote-ref-1)