



## CHIEF LEGAL OFFICER & PRIVACY OFFICER (CLO)

<b>Job Code:</b>	<b>CLO</b>
<b>Reports To:</b>	<b>Chief Executive Officer</b>
<b>Base Location:</b>	<b>AZ or CO</b>
<b>Work Status:</b>	<b>Hybrid/Physical Office</b>
<b>Minimum Starting Monthly Range:</b>	<b>\$18,000</b>
<b>Hiring Range (Monthly Pay):</b>	<b>\$18,000 - \$20,833</b>
<b>Full-time / Part-time:</b>	<b>Full-time</b>
<b>Exempt / Non-Exempt:</b>	<b>Exempt</b>
<b>Risk Designation:</b>	<b>Extremely High</b>

### Summary:

The Chief Legal Officer oversees all legal operations for one of the leading organizations in the country in the field of Health Information Exchange (HIE) and serves as the company's Privacy Officer. This role is a strategic member of the executive leadership team and reports directly to Contexture's Chief Executive Officer. This position is responsible for day-to-day analysis and counsel on legal, policy, and contractual issues facing the company. This position will work across teams within Contexture, as well as with key external organizations and clients. This role will provide in house legal advice to executives, the Board of Directors, and employees to ensure compliance on a wide range of matters including regulatory requirements, policy, contracting, data privacy and security, governance, intellectual property, and employment law. The Chief Legal Officer oversees and manages outside counsel as well as a small but dedicated legal team.

This position is based in Phoenix Arizona or Denver Colorado. Our strategic flexibility allows for local hybrid work from home opportunities.

**Essential Duties and Responsibilities** include the following:

#### *Governance and Risk Management*

- Provides legal counsel and advice to the executive leadership team, Board of Directors, and other employees on legal matters relevant to a multi-state organization, including on matters related to labor and employment, data privacy and security, non-profit corporate governance, intellectual property, and regulatory compliance
- Oversees legal components of mergers and affiliations, including coordination of due diligence and preparation of related business agreements
- Evaluates risk factors regarding business decisions and operations
- Acts as a close advisor to leadership and management; sets policies for the business and advises management and the board of directors regarding legal risk and compliance matters
- Implements or oversees implementation of sound internal controls to minimize exposure to legal risks and ensure that Contexture operates legally and with integrity
- Provides expertise and oversight on litigation and regulatory matters, including subpoenas, litigation discovery and other similar matters

### *Compliance and Privacy Programs*

- Provides overall vision, direction, and collaborative leadership of Contexture's compliance program
- Oversees the Director of Compliance in monitoring and responding to regulatory developments of significance to Contexture, in establishing policies and procedures that comply with applicable rules and regulations and with the company's standards of conduct and in training relevant business teams to ensure appropriate actions are taken
- Oversees and works with Director of Compliance to develop data privacy and security policies and procedures, working closely with the Chief Information Officer, and all other appropriate stakeholders, including Human Resources and Finance and business leads
- Provides legal counsel and investigation for claims of violation of law or company policy and procedures as well as for data privacy or security incidents and breaches
- Works with IT department professionals to ensure that the company employs best practices and remains in compliance on all data handling matters
- Serves as Executive Sponsor for Contexture Policy Advisory Council and works with external and internal stakeholders to oversee and enforce Contexture's permitted use policies

### *Contracts*

- Reviews, drafts, and negotiates complex contracts with healthcare participants and stakeholders in the Social Determinants of Health and Advance Directives space, state and federal agencies, and technology vendors and / or oversee such work by in house or outside counsel
- Collaborates with Business Development and IT department leaders to establish standardized agreements with appropriate terms and conditions for Contexture products and services
- Oversees in-house counsel in the implementation of efficient and repeatable contracting processes and strategies to accelerate new participant acquisition and contract review and approval.

### *Advocacy and Public Policy*

- Recommends and develops policy and position on relevant state and federal initiatives, including to draft and influence legislation at the state and federal level that supports health information exchange
- Oversees the development of Contexture's state and federal public policy strategy and coordinates the execution of such strategy with Contexture's state and federal lobbyists and policy advisors
- Tracks relevant legislation and regulations that may affect Contexture's business and advises the business in relation thereto

### *Oversight of Legal Department*

- Selects and retains outside counsel, as needed, to obtain legal opinions or to handle claims and litigation and oversees such outside counsel and the department budget to ensure high quality, cost effective legal advice
- Supervises the work product of the internal legal team, and manages processes to assist with efficiency and workflow, and oversees the budget for legal
- Performs other related duties as assigned

### **Qualifications**

To perform this job successfully, an individual must be able to perform each essential duty

satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

### **Skills**

- An understanding of healthcare-specific legal documents and requirements
- Healthcare experience in Privacy, HIPAA, HITECH, Information Blocking regulations, 42 C.F.R. Part 2 regulations, and state consumer privacy laws
- Strong attention to detail, with excellent written and verbal communication skills
- Process and procedure oriented but adaptable and comfortable with altered priorities in a dynamic environment
- Strong interpersonal skills and an ability to build and maintain productive, positive relationships with team members and other employees and provide legal advice that balances growth with appropriately managed risk
- Strong knowledge of non-profit corporate law, contract, and employment law
- An understanding of healthcare-specific legal documents and requirements
- Experience in working with healthcare providers, IT clients and vendors, and matters of corporate governance
- Ability to anticipate legal issues or risks and develop legal strategy and objectives around those critical issues
- Commercial and technology experience with a strong background in drafting and negotiating commercial agreements
- Highly energetic strategic thinker and self-starter
- Ability to establish and meet deadlines in a fast-paced environment
- Must be available for after-hours work, outside of normally scheduled hours

### **Education/Experience**

Minimum of 10+ years of legal experience including a minimum of five years' experience in handling health information technology matters in a relevant, regulatory agency, law firm or healthcare organization. A Juris Doctor (JD) and a Colorado or Arizona state license in good standing to practice law are required.

### **Work Environment**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. The noise level in the work environment is usually moderate. The position may require occasional availability for after-hours work, outside of regularly scheduled hours.

The position may require ability to periodically drive to and from clients, conferences and / or events; and / or limited travel.

This position is expected to be exposed to, process, or handle sensitive information including but not limited to Protected Health Information (PHI), Personally Identifiable Information (PII), financial information, etc. As such, the holder of this position is expected to comply with all applicable laws, regulations, organizational policies, and compliance expectations.

### **Physical Demands**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. The person in this position needs to frequently communicate and exchange information and move about inside the office to access file cabinets, office machinery, etc. Must be able to remain in a stationary position 50% of the time. Constantly operates a computer and other office productivity machinery, such as a keyboard, monitor, calculator, copy / scanner machine, and printer. Frequently moves office and work-related material weighing up to 10 pounds; Occasionally moves office and work-related material weighing up to 30 pounds.

***Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions.***

**Note:** *This job description is not intended to be an exhaustive list of all duties, responsibilities and / or qualifications associated with the job.*

**Benefits:** Contexture provides a comprehensive benefits package. For details, please request a Benefit Summary from our Benefits Department.

*The organization is an inclusive **Equal Opportunity Employer**. We do not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, disability, or other status protected by law or regulation.*