



Position Description

Title: Legal Counsel

Reports to: Chief Executive Officer (CEO)

FLSA Status: Exempt, Full Time

Supervisory Responsibility: N/A

Location: Remote

Salary Range: \$242,400 - \$280,600

POSITION SUMMARY:

The Legal Counsel oversees all legal and regulatory matters related to the development and implementation of Sequoia's business strategy, governance and compliance policies, data privacy and security, and other day-to-day legal and business duties. This role will create and foster relationships with key stakeholders with The Sequoia Project, the entities it provides managed services to, and across the health information exchange programs supported by The Sequoia Project. This role will also serve as lead on trust agreements related to policies and governance for health information exchange programs including, but not limited to, the trusted exchange framework and common agreement (TEFCA), Carequality Interoperability Framework, CMS interoperability regulations, information blocking rules, and public policy related to interoperable exchange of health information.

What is The Sequoia Project?

The Sequoia Project is a non-profit with a public service mission to advance the ability of health IT systems to interoperate for the improvement of patient care and the reduction of costs in the healthcare system.

ESSENTIAL FUNCTIONS:

- Oversee and manage all The Sequoia Project's (Sequoia) legal affairs and legal strategy in coordination with management.
- Provide strategic guidance, consultation, and partnership to Sequoia management on a comprehensive range of legal, risk management, and business issues involved in supporting Sequoia's mission and objectives.
- Provide corporate maintenance for Sequoia and the entities it provides managed services to (as needed), including annual corporate filings with the Virginia State Corporation Commission and updating bylaws and articles of incorporate as needed over time.
- Advise the Board of Directors for Sequoia and the entities it provides managed services to on legal, governance, policy and compliance matters.
- Prepare legal briefs, corporate resolutions, and other corporate governance materials prior to Board meetings and committee meetings as needed.



- Provide strategic advisory and legal work under Sequoia’s federal contract with the Assistant Secretary for Technology Policy/Office of the National Coordinator for Health IT (ASTP/ONC) in its role as the Recognized Coordinating Entity in support of TEFCAs, including but not limited to:
 - Revisions to the Common Agreement;
 - Drafting and revisions to Standard Operating Procedures;
 - Review and input on the Qualified Health Information Network (QHIN) Technical Framework (QTF);
 - Conducting legal review of QHIN applications and providing advice regarding whether applicants satisfy eligibility criteria;
 - Participating and advising regarding TEFCAs governance;
 - Supporting the RCE in fulfilling its responsibilities under the Common Agreement; and
 - Providing legal guidance and managing, in consultation with Sequoia management and HR, compliance obligations under the HHS federal contracting and FAR regulations.
- Provide subject matter expertise to support interoperability matters workgroups such as the Privacy and Consent Workgroup
- Draft, review, and negotiate contracts with third parties, including customers, collaborators, contractors, governmental contracts, and non-IT related vendors. Work in close coordination with the CIO on reviewing IT-related vendor contracts.
- Utilize and manage outside counsel effectively and efficiently.
- Review, digest, and stay apprised of laws, rules, and regulations relevant to the mission, operations, and objectives of Sequoia and the entities it provides managed services to, including those relating to health information privacy, security, and exchange; ensure management is aware of any relevant laws and regulations.
- Perform and/or coordinate initial and periodic information compliance and privacy risk assessments and conduct related ongoing compliance monitoring activities in coordination with Sequoia’s other compliance and operational assessment functions (including Sequoia management and Human Resources).
- Manage, in consultation with Sequoia management, the development, implementation, and ongoing compliance monitoring to ensure contractual, privacy, and compliance concerns, requirements, and responsibilities are addressed.
- Other duties and special projects as required.

KNOWLEDGE, SKILLS, AND ABILITIES:

- Knowledge of laws, legal codes, court procedures, precedents, government regulations, executive orders, and agency rules (preferably in the healthcare space including federal and state privacy laws and regulations as well as CMS and ASTP/ONC interoperability focused regulations)
- Ability to work in a highly dynamic, team-oriented environment, with strong interpersonal skills
- Excellent oral and written communication skills
- Solid knowledge of HIT, interoperability, and health information exchange
- Excellent analysis and writing skills
- Substantial knowledge in and ability to apply principles of health information management, project management, and change management

EDUCATION, TRAINING AND EXPERIENCE:



- Must be a licensed attorney in at least one state in the United States, with the ability to obtain licensure or Corporate Counsel designation in the Commonwealth of Virginia
- 8-10 years minimum of health law experience, to include prior experience in the private sector, preferably in the healthcare information technology industry
- Hands-on experience drafting and negotiating complex contracts and other types of agreements
- Demonstrated experience advising corporations on their day-to-day legal issues with respect to board operations, bylaws interpretation, conduct of meetings, and registration and filings
- Experience negotiating data network agreements
- Proficiency in MS Outlook, Word, Excel, PowerPoint, Teams, and SharePoint
- Experience with federal contracting including FAR and DFAR preferred
- Basic employment law experience preferred

PHYSICAL AND MENTAL REQUIREMENTS:

- Ability to work on a computer for extended periods of time to include typing and working on a computer monitor
- Ability to stand or sit for extended periods of time
- Extended working hours and travel may be necessary
- Occasional lifting of 15 to 20 lbs

“All qualified applicants will receive consideration for employment without regard to race, color, religious creed, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, protected medical condition as defined by applicable state or local law (such as cancer), genetic information, or any other characteristic protected by applicable federal, state or local laws and ordinances.”

To apply, please submit resumes to hr@sequoiaproject.org