



**GOVERNANCE
SERIES**

Hiring Your Health Center's Chief Executive Officer

Your health center is hiring an Executive Director/Chief Executive Officer (CEO). Perhaps you have just opened your health center and you are preparing to hire the first CEO or you may be replacing a CEO who is leaving the health center.

As a member of the Board of Directors, you recognize that the applicant selected to fill the highest-ranking executive position in your health center will have tremendous responsibilities. The CEO must be able to direct the daily operations of your organization and work efficiently with the Board and staff to effectively accomplish the mission and goals of the center. The CEO will represent your center in the community and must interact professionally and communicate adeptly with external customers, funding sources, the media, other organizations, agencies, and government entities. As a member of the health center's Board of Directors, you have the opportunity to shape the future by selecting the best candidate to lead your health center to success.

This monograph will highlight issues that arise and appropriate strategies to use in managing the

recruitment and selection process. It is not intended to be an exhaustive review of recruitment and hiring issues or the numerous legal and financial matters that should be addressed. However, it will serve as a general guide to Board members charged with the task of filling the CEO position and assist the Board in identifying and avoiding potential pitfalls. The Board should obtain competent legal advice to address substantive employment law and contracting issues.

ROLE OF THE HEALTH CENTER CEO

The Bureau of Primary Health Care's expectations for all health centers provides the following

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description of the role of the CEO.¹

As head of the management team, the Chief Executive should have the authority, responsibility and skills to:

- ◆ Communicate with the board and management team;
- ◆ Operationalize board policies;
- ◆ Manage personnel and systems;
- ◆ Allocate resources and operate within available resources;
- ◆ Identify and resolve problems;
- ◆ Interact with the community and providers and payers in the marketplace;
- ◆ Respond to opportunities;
- ◆ Plan for future events; and
- ◆ Implement board-established long-term goals and operating plans.

Because the CEO position carries significant responsibility, the process of recruiting and hiring must be done well. The Board, in its stewardship role, must thoughtfully plan and manage each step of the recruiting and hiring process.

CRITICAL RECRUITMENT & HIRING STEPS

It is important to identify the steps involved in managing the hiring process. There are eleven (11) critical process steps the Board will encounter as it moves from making the initial decision to hire and concludes by filling the vacant CEO position with the right candidate. These are the eleven process steps.

ELEVEN CRITICAL PROCESS STEPS IN RECRUITING AND HIRING A HEALTH CENTER CEO

STEP 1 - Provide Interim Coverage

STEP 2 - Determine Board's Expectations of CEO

STEP 3 - Choose a Hiring Strategy

STEP 4 - Decide Upon the Process

STEP 5 - Recruit Applicants

STEP 6 - Screen Applicants

STEP 7 - Conduct Phase 1 Interviews

STEP 8 - Conduct Phase 2 Interviews

STEP 9 - Select the Finalist

STEP 10 - Check References

STEP 11 - Make an Offer

Without question, a well-managed hiring process requires a tremendous investment of time. If the Board takes short cuts, there may well be reason to regret it later.

¹ Bureau of Primary Health Care Policy Information Notice 98-23, Health Center Program Expectations August 17, 1998.

STEP 1

Provide Interim Coverage

Maintain Continuity

Regardless of the amount of planning done by a Board, there may be occasions when a CEO position is vacant for a period of time. Under those circumstances, it is the responsibility of the Board to ensure that the operations of the center are maintained. The Board should identify the components and functions of the CEO position that must be covered. Typically, the CEO delegates tasks to other members of the health center's management team and professional staff. While the CEO position is vacant, the Board may choose to assign a staff person or contracted consultant to cover critical functions until a replacement is hired.

If the Board is planning to hire a CEO for a new health center, there is no need to address the issue of continuity for the center. Instead, the Board may assign the CEO function to a staff person or contracted consultant during the period of time that the center is operating without a permanent CEO.

While the CEO position is vacant, the Board may choose to assign a staff person or contracted consultant to cover critical functions until a replacement is hired.

Departing CEO Can Help Orient the New Hire

If the incumbent has given advance notice of his or her departure, the Board should consider requesting the outgoing CEO to help orient the new CEO. If the center has just established a CEO position, the staff person or contracted consultant who covered the CEO functions during the search for a CEO may also assist in the transition.

When There Is An Internal Candidate Serving as Interim CEO

While health centers often follow the policy of "promoting from within" when possible, centers must be cautious in selecting a person from the center's staff to serve as interim CEO. Make certain that the Board does not create an expectation (implicitly or explicitly) that the interim CEO will be hired for the CEO position. The Board should assure the staff person that the CEO will be selected fairly, based upon predetermined criteria set by the Board of Directors.

STEP 2

Determine Board's Expectations of the CEO

The Job Analysis

This is an opportune time for the Board to determine the needs of the center. It is critical to ask:

- ◆ What do we want the CEO to be able to do?
- ◆ Does the health center need someone to do development work and fundraising?
- ◆ Should the individual possess strong advocacy skills and have a network of contacts?
- ◆ Should the CEO have management experience?
- ◆ Should the CEO have operations experience with another health center or health care provider?
- ◆ Should the CEO be from the community that the center serves?

Remember, the CEO will represent your organization and will be required to communicate with "outsiders" such as the media, CEOs of other organizations, private agencies, and government entities.

There is no one correct answer to these questions; the answers depend upon the needs of the center.

However, the questions provide the framework for the Board to write a CEO job analysis. The job analysis:

1. Explains the needs of the health center;
2. Describes the tasks that the CEO will be expected to perform; as well as

3. Outlines the necessary skills, knowledge, training, physical and mental abilities, and experience needed to successfully complete those tasks.

The job analysis forms the basis for creating the CEO job description and assists with the development of recruiting materials. The job analysis and job description also demonstrate the absence of discriminatory intent in the hiring decision as they are prepared in advance of advertising the availability of the CEO position and are used as the basis for selecting and interviewing candidates. Finally, the job analysis and the job description are tools to assist the Board in clarifying and reaching consensus on the Board's expectations of the new CEO.

For example, although work experience in a health center is not necessarily a prerequisite, the CEO of a health center should have knowledge of the functions of health centers and relevant prior management experience. The individual also should demonstrate fundraising capability from previous successes in other employment and should have strong networking skills. There is no substitute for practical operations experience with a staff commensurate in size with your center. The Board may also value someone who has been an advocate in the community. This may be an excellent political strategy as long as the community-based candidate possesses the core skills needed by the organization. It is likely less important for the CEO to have clinical or patient care background because other staff, such as the chief medical

officer, typically provides the organization with such expertise. Instead, the CEO should demonstrate a record of progressive responsibility in management, including personnel management, budgetary and fiscal responsibility, fund-raising, and program development.

The Job Description

Taking into account the job analysis, the Board should update or, in the case of a new health center, create a job description in preparation for advertising the position and, ultimately, for hiring the new CEO. A job description defines the purpose and function of a particular position and describes the duties and responsibilities of the person hired to fill the position. Reporting lines and scope of authority also typically are defined in a job description. Once the CEO is hired, the job description also will function as the basis for his or her performance evaluation. Accordingly, the Board should carefully consider what information it would like the job description to include.

Update the Salary and Benefit Package

The Board should use the hiring process as an opportunity to review the salary and benefit structure for the CEO to ensure they are consistent with the responsibilities described in the job analysis and job description. This is the time to evaluate the compensation range to make certain it is competitive and to decide the salary range within which to make an offer.

Reasonable Compensation

Compensation of employees of nonprofit tax-exempt organizations, such as health centers, must be "reasonable" in order to comply with Federal tax laws (Section 4958 of the Internal Revenue Code) and, to the extent that compensation is charged to a Federal grant award, with Federal cost principles (Office of Management and Budget Circular A-122). Reasonable compensation for a particular job (including the CEO) is set with reference to what comparable organizations (including for-profit organizations) in the community pay to a similarly qualified and experienced person performing similar job functions. For purposes of determining the reasonableness of compensation, all compensation, including fringe benefits and incentive compensation, must be taken into account. Moreover, the basis for awarding incentive compensation must be set before the services are rendered. Recruitment and relocation expenses are allowed, again within the bounds of reasonableness. However, relocation expenses charged to a Federal grant will be disallowed if the employee resigns within twelve months of hire. See OMB Circular A-122 (Attachment B, paragraph 45).

STEP 3

Choose a Hiring Strategy

The Recruitment Options

The Board must carefully select and implement a process to identify and hire the right CEO candidate. There are two options the Board can consider:

- 1) Utilizing the services of an executive search firm or
- 2) Establishing a Search Committee of the Board.

Note that these two options are not mutually exclusive but may, in fact, be used simultaneously with the search firm providing candidates for the committee's consideration.

EXECUTIVE RECRUITING FIRM CONDUCTS THE SEARCH

1. Advantage of Using an Executive Recruiting Firm

An Executive Recruiting Firm offers the advantage of saving the Board, and the health center, time. The work of identifying candidates shifts from the Board to an external entity, allowing the Board to focus on its policy development and oversight functions. Executive search firms have recruitment experience and use professionals to efficiently identify and screen applicants. They can present the Board with a "short list" of candidates that meet the center's selection criteria. Note that the reasonable cost of recruitment of a CEO is an allowable cost for a health center under a Section 330 grant as long as the fees do not exceed standard commercial rates. See Office of Management and Budget Circular A-122. (Attachment B, paragraph 44).

2. Disadvantage of Using an Executive Recruiting Firm

The fees paid to an Executive Recruiting Firm can be a significant disadvantage. Recruitment firms typically are paid a percentage of the first year's salary of the person they place. The fee is paid when the candidate has been hired by the organization. The typical fee for the services of an executive search firm is one-third of the new hire's first year salary.

3. Share Retention Risk with the Recruiter

Retention is an important issue. Some recruitment firms will share the risk with the organization and take only a portion of the fee upon placement of the candidate, with the balance being paid when the organization is satisfied that the new hire meets its expectations and retains the employee. Sharing retention gives the recruiting firm additional incentive to do adequate due diligence on an applicant's employment history and to conduct background checks of the CEO candidates presented for consideration. A candidate's previous discharge for harassment, embezzlement, or other criminal activity may foreshadow a similar difficulty at the health center. If the Board chooses to utilize a recruiter, it should ensure that the engagement agreement requires the firm to do appropriate due diligence and rewards the firm for presenting a candidate that the center can retain.

BOARD CONDUCTS THE SEARCH

1. Establish the CEO Search Committee

The Board may choose to utilize the experience of its members and conduct its own search for a CEO. The process often begins by creating a Search Committee composed of Board members. It may include staff members, and people from the community who have experience hiring a chief executive, although, of course, the final decision rests with the Board of Directors. The staff may be asked for their input regarding the attributes desired in a CEO, but staff should not participate in the hiring decision because friction can occur if the staff person will eventually report to the CEO. Also, depending upon the circumstances, it may not be prudent to include the incumbent, if there is one, in making the decision about which candidate to hire. The incumbent CEO may be able to offer suggestions on what is required to perform the job and, as previously noted, can provide the Board with valuable assistance during the transition period.

2. Advantages and Disadvantages of the Board Conducting the Search

The major advantage of establishing a CEO Search Committee is that the Board can save money by not paying fees to a recruitment firm. The major disadvantage is that the process may be time consuming and divert the Board from its other important governance responsibilities.

As noted above, the Board ultimately may choose to utilize a combination of the two approach-

es to achieve a balanced approach to recruitment. For example, the Board may choose to create a committee to work with the executive search firm.

The Job Analysis and Job Description are the Cornerstone

The Board should be able to articulate the needs of the health center to facilitate an effective recruitment process. Whether or not the organization has decided to hire an Executive Recruitment Firm or establish a Search Committee, the preparation for the recruitment process is still important. The recruiter will want to know the qualities and qualifications the Board desires to have in an applicant. The recruiter will use your information to seek agreement on the nature of the advertising. The job analysis and job description play a role in articulating the needs of the organization.

S T E P 4

Decide Upon the Process

Preparation Saves Time

Planning the process to use for each of the critical recruitment and selection steps is important because planning helps the organization identify the right people with the right training and experience to consider interviewing. Preparation factors to consider include:

- ◆ The health center must make a smooth transition and candidates should be treated fairly.
- ◆ The Board should be certain that the process ensures the confidentiality of the applicants.
- ◆ The CEO Search Committee will not want to interview every applicant because some may not meet the criteria or skills, knowledge, training, and experience. It saves the organization time to screen applicants to determine whom to interview.
- ◆ The interview process must be consistent enough to show that applicants have been evaluated fairly and objectively.

Develop Tools to Streamline the Process

To properly prepare, the CEO Search Committee should develop a screening tool to select the applicants to invite for an interview. The Committee also should develop interview questions, establish a system to rank the candidates, and develop a form for reference checks prior to advertising for the position. Streamlining and standardizing the process promotes consistency and fairness, and can help avoid potential employment discrimination claims. The Society of Human Resource Managers or other national organizations of human resource professionals may have examples of screening tools, interview questions, a ranking system, and a reference check form that could be useful when hiring a CEO as well as for hiring other health center employees.

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STEP 5

Recruit Job Applicants

Advertise with Purpose

It is important to develop a job announcement that sufficiently discourages unqualified applicants from applying. For example, if previous health center experience is important, the advertisement should state the level of experience desired and the minimum number of years of experience required. The job announcement should identify all of the information required from applicants to enable the Search Committee or recruiter to determine who to invite to for an interview. Typically the Board will request a cover letter, résumé, and at least three references as part of the application process. Save time by telling applicants how to best respond. Consider selecting a contact person for all applications. Decide whether applicants should e-mail, fax or mail their cover letter, résumé, and references. If telephone calls are not preferred, state: "No phone calls please" in the announcement.

Maintain Applicant Confidentiality

The recruitment process should also respect the applicant's confidentiality. Most potential CEOs do not want their current employer to become aware that they have initiated a job search. It can become embarrassing for the candidate if the recruiting process and other steps are not done in a confi-

dential manner. State in the job announcement that the application process is confidential to encourage potential candidates to submit their application, and make sure to honor that commitment.

Seek A Broad Applicant Pool

It is important to cast a wide net for candidates. It is important to go beyond word of mouth and search from a broader potential applicant pool. There may be opportunities to recruit from other metropolitan areas or markets and to recruit women and minorities. It may be advisable to advertise in business journals, trade journals, or newspapers in major markets. Trade associations, such as the National Association of Community Health Centers, Inc., usually provide opportunities to place job announcements that are available to members. Business schools and graduate schools of public health have career development offices and alumni networks that may be a source of applicants. Of course, the decision regarding how and where to advertise must consider budgetary constraints and the size of the pool of applicants you expect to attract.

OMB Circular A-122 Allowable Costs

As noted previously, federal grant funds can be used to cover the cost of recruiting candidates. The cost of recruiting personnel includes the reasonable advertising expenses and travel for applicants to attend an employment interview.

STEP 6

Screen Applicants

Eliminate Unqualified Applicants

The CEO Search Committee should utilize the screening tools that were developed to assist in selecting applicants to invite for the interview phase. The reviewers should review the cover letter and résumé and determine, as a preliminary matter, whether the applicant has the required education, training, and work experience to be considered for an interview.

Identify Potential Employment Problems

In reviewing résumés, the Search Committee should note whether the applicant has large gaps of time in which he or she was not employed. However, it is important to note that gaps in the résumé may not always indicate a problem with the applicant's previous work performance. For example, an individual may leave the work force to raise a family, to attend school, or to care for a sick relative. The résumé may also indicate whether the applicant held many jobs in a short period of time. Job-hopping may indicate issues or problems with job performance that led to termination.

Use Job-Related Criteria

Keep in mind that screening criteria should be based upon job related functions. If the Board is using an executive recruiting firm, make

certain that the process it uses conforms to State and Federal laws regarding Equal Employment Opportunity, including the Americans with Disabilities Act.

Be Polite and Considerate

Prepare a letter acknowledging the receipt of an applicant's material. State whether only qualified applicants will be contacted for an interview. Design a thoughtful and professional rejection letter. Remember, some of the applicants may be from the community served by the health center. The Board will want to maintain a professional approach to the rejection process to avoid damaging community relationships.

During the interview, the Search Committee can ascertain whether the applicant communicates well, has a vision for the organization, and can give examples of successes and problem solving interventions that relate to the needs of the health center.

S T E P 7

Conduct Phase 1 Interviews

Select Applicants to Interview

After the applicants have been reviewed and evaluated against the initial screening criteria, the Search Committee should determine a reasonable number of applicants to interview. For example, it may wish to select the top five to ten people to interview. The Board should select a sufficient number of applicants to interview without becoming overwhelmed by interviewing too many candidates or unqualified candidates.

Use Uniform Interview Questions

The uniform set of interview questions developed by the Search Committee will provide a structured framework for the interview. The interview questions can be printed as a form, one for each candidate selected to undergo the first round of interviews. The depth and thoughtfulness of responses given to the interview questions will assist in determining whether the applicant has the experience, training, and other qualities required for the position. Utilizing a set of uniform interview questions ensures that the interviewers gather the needed information and allows them to make comparisons between the job experiences and skills of each of the candidates. The applicants are more likely to receive consistent treatment when the process is standardized. Further, it is much easier to overcome allegations of discrimi-

nation in the selection process if it can be documented that the same job related criteria were applied to all applicants.

Clarify the Experience of Each Applicant Interviewed

During the interview, ask questions that encourage the applicant to explain and clarify the education and job experience described on the résumé, such as gaps in employment history and the applicant's actual work experience. During the interview, the Search Committee can ascertain whether the applicant communicates well, has a vision for the organization, and can give examples of successes and problem solving interventions that relate to the needs of the health center.

Avoid Asking Illegal Interview Questions

Many problems can arise, both during and after an interview, if the Search Committee is not aware of the types of questions that the law does not allow an interviewer to ask. There are certain questions that should NEVER be asked during the interview because they are not indicators of job performance and may elicit information that could be used to unlawfully discriminate against certain applicants. The fact that someone asked such a question during an interview could be used as a basis for an employment discrimination claim against the health center even though the hiring decision was entirely free of illegal bias. The following are topics an interviewer should not discuss with a candidate:

ILLEGAL INTERVIEW TOPICS

1. Any age related questions including date of birth and year graduated from high school;
2. Marital status;
3. Religion;
4. Race, ethnicity, or national origin;
5. Presence of a disability (or requiring a physical examination prior to extending a job offer to an applicant);
6. Medical history including sickness over the past year, Worker's compensation claims, job-related injury, or mental health history;
7. Number of children, birth control, child care arrangements;
8. Arrest record;
9. Citizenship.

Use Job-Related Questions

As a general rule, if a question does not relate to job performance or an aspect of the work, do not ask the question. Interviewers should record the responses of the candidates and their impressions of the candidates after each interview while the information is fresh.

After all of the candidates have been interviewed, the Search Committee will rank the candidates using a pre-determined ranking system. If a clear "winner" does not emerge, the Search Committee may choose to invite the top candidates for Phase 2 interviews.

STEP 8

Conduct Phase 2 Interviews

Determine Critical Differences

In this step, the CEO Search Committee might attempt to gather information that highlights the critical differences between the candidates, focuses on strengths and weaknesses, clarifies the skill sets of the candidates, and ascertains their personality fit within the position. This is the phase in which the CEO Search Committee will refine the information needed to make a hiring recommendation to the full Board of Directors. Since it is likely that this round of interviews will be conducted by the entire Search Committee (and, in some cases, by the full Board), the interview affords a good opportunity to determine if the candidate projects well in a group setting, is poised, can answer questions about relevant work experience, and shares the philosophy of the health center. The Executive CEO Search Committee should be prepared to answer the candidate's questions as well.

In this step, the CEO Search Committee might attempt to gather information that highlights the critical differences between the candidates, focuses on strengths and weaknesses, clarifies the skill sets of the candidates, and ascertains their personality fit within the position.

STEP 9

Select Finalist

The Search Committee will rank the final applicants and deliberate as to which candidate or candidates it should recommend to the full Board. This is where the notes and responses to the questions posed to the candidates can be reviewed to make a decision. The Committee should obtain permission from the final applicant(s) to conduct a reference and background check.

STEP 10

Check References

All That Glitters...

Checking references is an important, but often-neglected step in the hiring process. There are numerous instances of résumé inflation, omissions, and misrepresentations of education and job experience that receive media coverage. It is important to conduct the check even when the applicant's qualifications appear to be beyond question. A thorough reference check may identify a history of bad behavior such as poor performance, sexual harassment issues, instances of embezzlement, or other criminal acts.

Protect the organization by taking time to contact previous employers. Keep in mind that some employers do not give information other than dates of employment and salary history because they are concerned about liability. However, it may be possible to talk to a former immediate supervisor of the applicant who is willing to answer questions about job performance.

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Debarment

Because health centers receive federal funds, it is important to determine whether they have been debarred from participating in a federally funded procurement or non-procurement program. Debarment occurs when an individual has been convicted of a criminal offense or when there is a judgment of fraud and abuse. The U.S. General Services Administration maintains the list of debarred persons/organizations. The center can conduct a check by using the searchable debarment reports found at <http://epls.arnet.gov>.

Criminal Background Check

Some organizations conduct criminal checks to determine whether the candidate has a past that may impact on job performance. A criminal background check may reveal information that may justify eliminating the candidate from consideration of employment. A criminal background check may be particularly important for CEO candidates who, if hired, may have significant access to the health center's property, personnel, and funds.

STEP 11

Make An Offer

Physical Examination

If the health center requires that its CEO have a physical examination, the center can request one only after a job offer has been extended to a candidate, although actual employment can be made contingent on the applicant's passing the exam. However, if a physical or mental impairment does not affect a candidate's ability to perform the essential functions of the CEO's job (which the center can reasonably establish for itself - another reason why a job analysis and job description are so important), then the center cannot refuse to hire the candidate on account of a disability. The center must hire the candidate if he or she can perform the essential functions of the job notwithstanding the disability, or if a reasonable accommodation to the disability, e.g., adding appropriate communication equipment for a deaf applicant, will allow the candidate to perform the job functions.

Hiring Agreement

The Board should formalize the job offer and acceptance by having the new CEO sign an employment agreement. Employment agreements establish the job duties, compensation, incentives, and fringe benefits. The agreement typically requires the new hire to use best efforts to perform the job. The document should articulate the

term of employment, including probation period, renewable period (such as year- to- year), and grounds for terminating the CEO. The agreement may provide for severance pay upon termination. Once executed, the health center may terminate, whether at-will or for cause, only in accordance with the terms of the contract.

Thank the Remaining Applicants

After the final candidate accepts your offer, make certain to send letters to the unsuccessful applicants to thank them for their interest and inform them that a hiring decision has been made.

Welcome the New CEO

The work of the Board is not over when the new CEO is hired. The new CEO should be welcomed into the health center. It is important to issue a news release and make the appropriate introductions, both internally and in the community. Internally, the new CEO should be introduced to the staff. A biographical sketch describing the previous experience, education and qualifications for the position will help to establish the credibility of the hiring decision. Now is the time to transition to the new person. Perhaps the former CEO (if there is one) will be able to share information to help. But remember, the new CEO has responsibility for managing the staff.

CONCLUSION

The process involved in hiring a CEO is labor intensive. However, it is important to invest the time in effective planning to produce a successful outcome for the organization. A job analysis and job description state the needs of the organization and the expectations of the Board for the CEO. The focus on job-specific functions will help Board members identify the candidates that match the required level of knowledge, experience, skills, and education. Asking job-related interview questions will prevent time wasted in defending against employment discrimination claims. By carefully following the eleven critical process steps, the Board can focus on the attributes required of the applicant best suited for the position and successfully identify, and hire, an effective Chief Executive Officer.

It is important to issue a news release and make the appropriate introductions, both internally and in the community.

NACHC acknowledges the Bureau of Primary Health Care (BPHC) in the Health Resources and Services Administration (HRSA), DHHS, whose funding helped to make this document possible. Although this document was prepared with the financial assistance of BPHC, please note that such assistance does not indicate an endorsement from BPHC, or any other governmental agency.



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