

State of Arizona  
House of Representatives  
Fifty-third Legislature  
Second Regular Session  
2018

CHAPTER 300  
HOUSE BILL 2324

AN ACT

AMENDING TITLE 36, CHAPTER 6, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 7.1; RELATING TO PUBLIC HEALTH.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 36, chapter 6, Arizona Revised Statutes, is amended by adding article 7.1, to read:

ARTICLE 7.1. COMMUNITY HEALTH WORKERS

**36-765. Definitions**

IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

1. "CERTIFIED COMMUNITY HEALTH WORKER" MEANS A COMMUNITY HEALTH WORKER TO WHOM THE DEPARTMENT HAS ISSUED A CERTIFICATE TO PRACTICE AS A CERTIFIED COMMUNITY HEALTH WORKER IN THIS STATE.

2. "COMMUNITY HEALTH WORKER" MEANS A NONMEDICAL HEALTH WORKER WHO SERVES AS A LIAISON FOR HEALTH AND COMMUNITY SERVICE PROVIDERS AND ENROLLEES TO FACILITATE ACCESS TO SERVICES AND IMPROVE THE QUALITY OF SERVICE DELIVERY, INCLUDING THE COORDINATION OF SERVICES TO IMPROVE MEDICAL AND BEHAVIORAL HEALTH OUTCOMES.

3. "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH SERVICES.

4. "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT.

5. "PRACTICE AS A CERTIFIED COMMUNITY HEALTH WORKER" MEANS A COMMUNITY HEALTH WORKER'S APPLICATION OF THE EDUCATION, TRAINING AND EXPERIENCE IN THE CORE COMPETENCIES TO EFFECTIVELY PROVIDE SERVICES TO THE COMMUNITIES AND POPULATIONS THAT THE COMMUNITY HEALTH WORKER SERVES THROUGH ONE OR MORE OF THE COMMUNITY HEALTH WORKER'S ROLES.

**36-765.01. Application for certificate; certification; renewal**

A. A PERSON MAY APPLY TO THE DIRECTOR FOR A CERTIFICATE TO PRACTICE AS A CERTIFIED COMMUNITY HEALTH WORKER ON A FORM PRESCRIBED BY THE DIRECTOR AND SHALL FURNISH INFORMATION REQUIRED BY THE DIRECTOR.

B. THE DIRECTOR SHALL GRANT A COMMUNITY HEALTH WORKER CERTIFICATE TO A PERSON WHO MEETS THE QUALIFICATIONS PRESCRIBED BY THIS ARTICLE AND RULES ADOPTED PURSUANT TO THIS ARTICLE AND WHO PAYS THE APPLICABLE FEES.

C. A CERTIFICATE IS VALID FOR TWO YEARS AND MAY BE RENEWED ONCE EVERY TWO YEARS BY APPLYING TO THE DIRECTOR AND PAYING THE APPLICABLE FEES.

D. A PERSON SHALL FILE AN APPLICATION FOR RENEWAL AT LEAST THIRTY DAYS AND NOT MORE THAN SIXTY DAYS BEFORE THE EXPIRATION DATE OF THE CURRENT CERTIFICATE.

**36-765.02. Powers and duties of director; rules**

**A. THE DIRECTOR, BY RULE, SHALL:**

1. PRESCRIBE THE SCOPE OF PRACTICE AND THE CORE COMPETENCIES OF CERTIFIED COMMUNITY HEALTH WORKERS, INCLUDING SKILLS AND AREAS OF KNOWLEDGE THAT ARE ESSENTIAL TO BRING ABOUT EXPANDED HEALTH AND WELLNESS IN DIVERSE COMMUNITIES AND TO REDUCE HEALTH DISPARITIES.

2. DESCRIBE AND DEFINE REASONABLE AND NECESSARY MINIMUM QUALIFICATIONS, INCLUDING EDUCATION AND TRAINING REQUIREMENTS, FOR CERTIFIED COMMUNITY HEALTH WORKERS.

3. ESTABLISH STANDARDS AND REQUIREMENTS FOR THE ESTABLISHMENT OF CERTIFIED COMMUNITY HEALTH WORKER EDUCATION AND TRAINING PROGRAMS IN THIS STATE.

4. ADOPT STANDARDS AND REQUIREMENTS FOR THE APPROVAL OR ACCEPTANCE OF CONTINUING EDUCATION COURSES AND PROGRAMS FOR THE RENEWAL OF A CERTIFICATE.

5. ESTABLISH MINIMUM EDUCATION, TRAINING, EXPERIENCE AND OTHER QUALIFICATIONS THAT A CERTIFIED COMMUNITY HEALTH WORKER MUST POSSESS TO QUALIFY AS A TRAINER IN ANY EDUCATION, TRAINING OR CONTINUING EDUCATION PROGRAM FOR CERTIFIED COMMUNITY HEALTH WORKERS.

6. ESTABLISH THE CRITERIA FOR GRANTING, DENYING, SUSPENDING AND REVOKING A CERTIFICATE IN ORDER TO PROTECT THE HEALTH AND SAFETY OF THE PUBLIC.

**B. THE DIRECTOR MAY ADOPT RULES:**

1. THAT ARE NECESSARY FOR THE PROPER ADMINISTRATION AND ENFORCEMENT OF THIS ARTICLE.

2. THAT ALLOW FOR RECIPROCITY AGREEMENTS, INCLUDING WITH THE INDIAN HEALTH SERVICE.

C. THE DIRECTOR SHALL WAIVE THE MINIMUM TRAINING AND EDUCATION REQUIREMENTS FOR CERTIFICATION FOR APPLICANTS WHO PROVIDE DOCUMENTATION OF AT LEAST NINE HUNDRED SIXTY HOURS OF PAID OR VOLUNTEER EXPERIENCE PROVIDING COMMUNITY HEALTH WORKER SERVICES IN THE CORE COMPETENCIES DURING THE PREVIOUS THREE YEARS IN A LICENSED HEALTH CARE FACILITY OR IN THE SERVICE OF A LICENSED HEALTH CARE PROVIDER OR A CONTRACTOR UNDER CHAPTER 29, ARTICLE 1 OF THIS TITLE.

**36-765.03. Denial, suspension or revocation of certificate; disciplinary action; appeal**

A. THE DIRECTOR MAY DENY, SUSPEND OR REVOKE THE CERTIFICATE OF ANY COMMUNITY HEALTH WORKER WHO:

1. VIOLATES ANY PROVISION OF THIS ARTICLE OR RULE ADOPTED PURSUANT TO THIS ARTICLE.

2. HAS BEEN CONVICTED OF A FELONY OR A MISDEMEANOR INVOLVING MORAL TURPITUDE.

3. INDULGES IN CONDUCT OR A PRACTICE DETRIMENTAL TO THE HEALTH OR SAFETY OF THE PUBLIC.

B. THE DEPARTMENT MAY DENY, SUSPEND OR REVOKE A CERTIFICATE WITHOUT HOLDING A HEARING. ♠ AFTER RECEIVING NOTIFICATION OF THE DENIAL, SUSPENSION OR REVOCATION, THE APPLICANT MAY REQUEST A HEARING TO REVIEW THE DENIAL, SUSPENSION OR REVOCATION. ♠ IF REQUESTED, THE DEPARTMENT SHALL CONDUCT A HEARING TO DENY, SUSPEND OR REVOKE A CERTIFICATE PURSUANT TO TITLE 41, CHAPTER 6, ARTICLE 10.

C. IF THE DIRECTOR DETERMINES PURSUANT TO A HEARING THAT GROUNDS EXIST TO DENY, SUSPEND OR REVOKE A CERTIFICATE, THE DIRECTOR MAY DO SO PERMANENTLY OR FOR A FIXED PERIOD OF TIME AND MAY IMPOSE CONDITIONS AS PRESCRIBED BY RULE.

D. A CERTIFIED COMMUNITY HEALTH WORKER EMPLOYED BY A TRIBE WHO VIOLATES THIS SECTION SHALL BE UNDER TRIBAL GOVERNMENT JURISDICTION. ♠ IF THE WORKER IS DETERMINED TO HAVE VIOLATED THIS SECTION, THE INFORMATION PROVIDED TO THE DIRECTOR MAY RESULT IN THE DENIAL, SUSPENSION OR REVOCATION OF THE WORKER'S CERTIFICATION. INTERNAL HEARINGS, APPEALS OR PENALTIES RESULTING FROM DISCIPLINARY ACTIONS BY A TRIBAL GOVERNMENT ARE DEEMED AS THE FINAL DECISION IN ACCORDANCE WITH THIS SECTION.

**36-765.04. Investigations; evidence**

THE DIRECTOR MAY INVESTIGATE INFORMATION THAT INDICATES A PERSON MAY BE VIOLATING THIS ARTICLE. IN CONNECTION WITH AN INVESTIGATION, THE DIRECTOR MAY EXAMINE AND COPY DOCUMENTS AND OTHER PHYSICAL EVIDENCE WHEREVER LOCATED THAT RELATE TO THE CONDUCT OR COMPETENCY OF A COMMUNITY HEALTH WORKER PURSUANT TO THE REQUIREMENTS OF THIS ARTICLE.

**36-765.05. Fees; use**

THE DIRECTOR, BY RULE, SHALL ESTABLISH AND COLLECT NONREFUNDABLE FEES FOR CERTIFICATION THAT ARE CONSISTENT WITH FEES THAT ARE PRESCRIBED PURSUANT TO SECTION 36-1908. ♠ THE DEPARTMENT SHALL DEPOSIT THE FEES IN A SEGREGATED ACCOUNT IN THE HEALTH SERVICES LICENSING FUND ESTABLISHED BY SECTION 36-414.

**36-765.06. Certification not required**

THIS ARTICLE DOES NOT REQUIRE COMMUNITY HEALTH WORKERS TO BE CERTIFIED BY THE DEPARTMENT IN ORDER TO PRACTICE AS A COMMUNITY HEALTH WORKER.

**36-765.07. Public contracts; no preference**

**THIS STATE AND POLITICAL SUBDIVISIONS OF THIS STATE MAY NOT PROVIDE A PREFERENCE IN AWARDING A PUBLIC CONTRACT FOR SERVICES PROVIDED BY A CERTIFIED COMMUNITY HEALTH WORKER OR AN ENTITY THAT EMPLOYS CERTIFIED COMMUNITY HEALTH WORKERS.**

**Sec. 2. Community health workers advisory council; delayed repeal**

**A. The community health workers advisory council is established consisting of nine members, the majority of whom are community health workers, who are residents of this state, who represent the geographic region of this state where they reside and who are appointed by the director of the department of health services. The council shall make recommendations to the department regarding:**

- 1. Core competencies for the certification of community health workers.**
- 2. Minimum education and training qualifications for certified community health workers.**
- 3. Standards and requirements for community health worker education and training programs.**
- 4. Standards and requirements for continuing education courses and programs.**
- 5. Minimum education and training standards for educators.**
- 6. The type of certification examination or other means to assess community health worker competency for certification.**
- 7. Standards for unprofessional conduct.**
- 8. Any other matter as requested by the director.**

**B. This section is repealed from and after December 31, 2022.**

**APPROVED BY THE GOVERNOR MAY 16, 2018.**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 16, 2018.**