

272 CMR: BOARD OF REGISTRATION OF COMMUNITY HEALTH WORKERS

272 CMR 5.00: COMMUNITY HEALTH WORKER EDUCATION AND TRAINING PROGRAMS

Section

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5.01: Purpose

The purpose of 272 CMR 5.00 is to establish minimum standards for Board approval of Community Health Worker Education and Training Programs and to establish the procedure for obtaining approved status.

5.02: Approval Requirement, Approval Status and Publication

- (1) Program Approval Requirement. In order to qualify for certification pursuant to 272 CMR 4.02(1), an applicant must have successfully completed a Community Health Worker Education and Training Program that has been approved by the Board pursuant to this chapter.
- (2) Approval status. The Board shall assign an approval status to all Community Health Worker Education and Training Programs recognized in accordance with section 5.05. The Board shall send notice to the program administrator of the assigned approval status and status effective date.
 - (a) Pending application: This status may be applied to all programs for which the Board has received a fully completed and signed application form for provisional approval or full approval. Pending application status shall apply from the effective date until either the date that the Board assigns a different status in accordance with this section, or the date the application expires, whichever occurs sooner. Upon the expiration of an incomplete application for a program with pending application status, the status shall be updated to pending application – application expired. A program with pending application status does not qualify as a Board approved Community Health Worker Education and Training Program that satisfies the certification requirement at section 4.02(3)(a), nor does a program with pending application – application expired status.
 - (b) Provisional approval: This status may be applied to a program if the Board determines, after evaluation in accordance with section 5.05(2)(f), that the program has demonstrated the capacity to meet the minimum standards for provisional approval as specified in 272 CMR 5.03. Provisional approval status may not exceed 18 months in duration. A program with provisional approval status qualifies as a Board approved Community Health Worker Education and

Training Program that satisfies the certification requirement at 272 CMR 4.02(1)(a).

(c) Full approval: This status may be applied to a program if the Board determines, after evaluation in accordance with 272 CMR 5.05(2), that the program meets all minimum standards for full approval as specified in 272 CMR 5.04. Full approval status may be of unlimited duration and shall apply from the effective date until the effective date that the Board assigns a different status in accordance with a program with full approval status qualifies as a Board approved Community Health Worker Education and Training Program that would satisfy the certification requirement at section 4.02(1)(a).

(d) Approval denied. This status may be applied to a program in any of the circumstances specified in section 5.05(3). A program with approval denied status does not qualify as a Board approved Community Health Worker Education and Training Program that satisfies the certification requirement at section 4.02(1)(a).

(e) Approval with warning: This status may be applied to a previously approved program if the Board determines, after review of the Annual Report submitted in accordance with 272 CMR 5.05(7), that the program does not meet one or more of the minimum standards for full approval as specified in 272 CMR 5.04. This status may also be applied to a previously approved program if the Board determines that the program has failed to submit a fully complete and signed Annual Report, without cause and without the Board's deferral pursuant to 272 CMR 5.05(5)(b). Approval with warning status shall be of a duration determined by the Board, but may not exceed one year in duration. A program with approval with warning status qualifies as a Board approved Community Health Worker Education and Training Program that would satisfy the certification requirement at 272 CMR 4.02(1)(a).

(f) Approval withdrawn. This status may be applied to a program in any of the circumstances specified in section 5.06. The Board's notice shall include, in addition to the status and status effective date, that a program with approval withdrawn status does not qualify as a board approved Community Health Worker Education and Training Program that satisfies the certification requirement at 272 CMR 4.02(1)(a).

(3) The Board shall maintain and publish a list of all Community Health Worker Education and Training Programs that have submitted a Notice of Intent pursuant to 272 CMR 5.05(1) or an application pursuant to 272 CMR 5.05(2) and shall specify the approval status that the Board assigned to the program and the status effective date.

5.03: Minimum Standards for Provisional Approval

The Board may apply provisional approval status to a Community Health Worker Education and Training Program provided that the Board determines that the program meets the minimum standards for full approval at 272 CMR 5.04(1)(a) – (f) and the following additional qualifications:

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- (1) The parent institution has submitted a fully signed and completed application for program approval on or before December 31, 2016.
- (2) The parent institution offered a Community Health Worker Education and Training Program within the four years immediately preceding [Effective Date of Regulations].
- (3) Curriculum. The Community Health Worker Education and Training Program consists of at least 48 hours of instruction.
 - (a) At least 38 hours of instruction shall focus on the cultivation of knowledge and skills related to the core competencies for community health workers as specified in 272 CMR 5.04(2)(a); and
 - (b) At least 10 hours of instruction shall focus on the cultivation of knowledge and skills incorporating one or more specific health topics set forth in 272 CMR 5.04(2)(b).
- (4) Faculty. The Community Health Worker Education and Training Program has arranged to have the curriculum delivered by instructors who possess the knowledge, skills and competence to effectively teach a curriculum which meets the requirements of 272 CMR 5.03(3).

5.04: Minimum Standards for Full Approval

The Board may grant full approval status to a Community Health Worker Education and Training Program provided that the Board determines that the program meets the following minimum standards:

- (1) Program Mission and Governance
 - (a) The Community Health Worker Education and Training Program shall have and operate in accordance with a mission statement that recognizes and supports the history and purpose of the community health worker workforce.
 - (b) The Community Health Worker Education and Training Program shall be organized independently of any other education and training program offered by the parent institution.
 - (c) The Community Health Worker Education and Training Program shall employ practices and methodologies that are:
 1. inclusive and accessible to individuals with different learning styles, educational backgrounds and student needs, including but not limited to disability;
 2. consistent with the diversity principles and cultural competency that drives community health work.
 - (d) The Community Health Worker Education and Training Program shall be affiliated with a parent institution. The parent institution shall appoint a competent administrator and shall provide the administrator with adequate resources to effectively administer the program. The resources shall be sufficient to allow the program to:

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1. offer a curriculum that meets the requirements at section 5.04(2);
2. maintain an adequate number of instructors who meet the faculty requirements at 272 CMR 5.04(3); and
3. maintain ongoing fiscal health to ensure that the program will not be discontinued before a cohort of students who have commenced the curriculum have had adequate time to complete it.

(e) The Community Health Worker Education and Training Program shall award a certificate of completion to students who successfully complete the program.

(f) The Community Health Worker Education and Training Program shall publish current policies which describe the specific, non-discriminatory criteria for the following:

1. Admission into the program; credit transfer; attendance; withdrawal from the program, termination from the program, and re-admission into the program;
2. Documentation and record maintenance with respect to matriculation, attendance, faculty appointments, student performance and participation, and program completion by students; and
3. Student rights and grievances.

(g) The Community Health Worker Education and Training Program shall maintain written policies for conducting the following:

1. Internal assessments designed to evaluate the program; and
2. Systematic and objective evaluation of students' acquisition of the knowledge and skills related to the 10 core competencies for Community Health Workers specified in 272 CMR 5.04(2)(a) and specific health topics offered in the program's curriculum in accordance with 272 CMR 5.04(2)(b).

(2) Curriculum. The Community Health Worker Education and Training Programs shall consist of at least 80 hours of instruction.

(a) At least 64 hours of instruction shall focus on the cultivation of knowledge and skills related to the following ten core competencies for community health workers:

1. Outreach Methods and Strategies;
2. Individual and Community Assessment;
3. Effective Communication;
4. Cultural Responsiveness and Mediation;
5. Education to Promote Healthy Behavior Change;
6. Care Coordination and System Navigation;
7. Use of Public Health Concepts and Approaches;
8. Advocacy and Community Capacity Building;
9. Documentation; and
10. Professional Skills and Conduct.

(b) At least 16 hours of instruction shall focus on the cultivation of knowledge and skills related to one or more specific health topics relevant to community health work.

(3) Faculty. The Community Health Worker Education and Training Programs shall arrange to have the curriculum delivered by a faculty consisting of instructors who possess the knowledge, skills and competence to effectively teach a curriculum which meets the requirements of section 5.04(2). At least 40% of the hours of instruction shall be taught or co-taught by faculty who are Community Health Workers or Community Health Worker Trainers.

5.05: Obtaining and Maintaining Board Approval

(1) Notice of Intent.

(a) Prior to submitting an application for provisional approval or for full approval a parent institution seeking Board approval of a Community Health Worker Education and Training Program shall submit a Notice of Intent. The Notice of Intent shall be prepared and signed by the individual appointed as administrator for the Community Health Worker Education and Training Program and shall be accompanied by the following documentation:

1. The program's mission statement;
2. The program's teaching philosophy;
3. A description of the program's curriculum;
4. A statement indicating whether the parent institution has previously offered any Community Health Worker Education and Training Programs during the four years preceding [Effective date of regulations], that includes the following information for any such programs offered:
 - i. the date when the parent institution first began offering the program;
 - ii. the number of times the parent institution has offered the program to a cohort of students who completed the program; and
 - iii. the date(s) when each cohort of students completed the program;

(b) The Board shall evaluate the Notice of Intent and determine whether the program has demonstrated the capacity to meet the minimum requirements for either provisional approval or full approval.

1. If the Board determines the program has demonstrated the capacity to meet the minimum requirements for either provisional approval or full approval, the Board shall send written notice recommending the type of application that the program administrator should submit (provisional approval or full approval).
2. If the Board determines the program has not demonstrated the capacity to meet the minimum requirements for either provisional approval or full approval, the Board shall send written notice of that specifies the standard(s) which the Board determined that the program has not shown the capacity to meet.

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- (2) Application and Evaluation for Full Approval or Provisional Approval
- (a) A parent institution that has submitted a Notice of Intent may apply for full approval or provisional approval, using an application form specified by the Board for that purpose. The form shall be completed and signed by the individual appointed as administrator for the Community Health Worker Education and Training Program and shall be accompanied by all documentation specified in the application form
- (b) The Board shall recognize the Community Health Worker Education and Training Program that is the subject of a fully complete and signed application for full approval or provisional approval by granting “pending application” status. The Board’s recognition, by itself, does not qualify the program as a Board approved Community Health Worker Education and Training Program that would satisfy the certification requirement at 272 CMR 4.02(1)(a). The Board may refuse to recognize a program that is the subject of an application that contains omissions or that is not signed.
- (c) An application form that is submitted without all items required in 272 CMR 5.02(2) is incomplete. The Board may refuse to evaluate an incomplete application. Incomplete application forms shall expire one year from the date of the Board’s receipt of the form. The Board may refuse to act on an expired application and may require that the parent institution submit a new application.
- (d) The Board shall direct notices, correspondence and inquiries relating to the application and items submitted with the application to the program administrator identified in the application. The program administrator shall be responsible for responding to Board inquiries and requests for information on behalf of the parent institution and the program. The program administrator shall notify the Board of any material changes in the information previously reported or submitted.
- (e) When the Board determines that it has received a fully complete and signed application for provisional approval that includes all required items, the Board shall evaluate the Community Health Worker Education and Training Program to determine whether it meets the minimum standards specified in 272 CMR 5.03. In addition, the Board shall evaluate whether, and to what extent, any Community Health Worker Education and Training Program previously offered by the parent institution applying for approval meets the minimum standards for provisional approval. The Board may request that representative(s) of the parent institution, the program administrator, or both appear before the Board to answer Board member inquiries as part of the Board’s evaluation. The Board may also request that representative(s) of the parent institution, the program administrator, or both provide additional documentation relevant to the program’s capacity to meet minimum standards.
- (f) When the Board determines that it has received a fully complete and signed application for full approval that includes all required items, the Board shall evaluate the Community Health Worker Education and Training Program to determine whether it meets the minimum standards specified in 272 CMR 5.04. The Board may request that representative(s) of the parent institution, the program administrator, or both appear before the Board to answer Board member inquiries

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as part of the Board's evaluation. The Board may also request that representative(s) of the parent institution, the program administrator, or both provide additional documentation relevant to the program's capacity to meet minimum standards.

(3) Approval Denied. The Board shall assign approval denied status to a Community Health Worker Education and Training Program if the Board determines, after evaluation in accordance with section 5.05(2)(e) or 5.05(2)(f), that a program has not demonstrated the capacity to meet the minimum standards for either provisional approval or full approval. The Board's notice shall include, in addition to the status and status effective date, the standard(s) which the Board determined that the program did not meet.

(4) Provisional Approval and Re-evaluation.

(a) If the Board determines, after evaluation in accordance with 272 CMR 5.05(2)(e), that a program has demonstrated the capacity to meet the minimum standards for provisional approval specified in 272 CMR 5.03, the Board shall assign provisional approval status. The Board may assign a retroactive approval effective date where the Board has determined that a parent institution's previously offered Community Health Worker Education and Training Program met the standards specified in section 5.03. The Board's notice shall include, in addition to the status and status effective date, a date range during which the program administrator must submit an application for full approval. The Board's notice may also request additional items that must accompany the application for full approval as the Board may determine to be useful to a re-evaluation of the program. The Board's notice may further specify whether or not the Board approves the program's continuing education activities to satisfy the continuing education requirements at 272 CMR 7.02(1).

(b) After the final date specified for submitting the application for full approval, the Board shall re-evaluate the Community Health Worker Education and Training Program to determine whether it meets the minimum standards for full approval specified in 272 CMR 5.04. The Board may request that representative(s) of the parent institution, the program administrator, or both appear before the board to answer Board member inquiries as part of the Board's re-evaluation. The Board may also request that representative(s) of the parent institution, the program administrator, or both provide additional documentation relevant to the program's capacity to meet minimum standards.

(5) Full Approval and Annual Reporting.

(a) If the Board determines, after evaluation in accordance with section 5.05(2)(f), that a Community Health Worker Education and Training Program has demonstrated the capacity to meet the minimum standards for full approval specified in 272 CMR 5.04, the Board shall assign full approval status to that program. The Board's notice shall include, in addition to the status and status effective date, the date that the program administrator must submit the program's first annual report.

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(b) Annual Report Requirement and Deferral. A Community Health Worker Education and Training Program with full approval status shall submit a fully completed and signed Annual Report, on a form specified by the Board for that purpose, on an annual basis. The report must be filed between September 1st and October 1st of each calendar year. The Board may choose to defer the Annual Report for a calendar year for a program that has been assigned full approval status during that calendar year. Upon written request by the program administrator and for good cause shown, the Board may defer a program's Annual Report deadline for up to one year, provided that the Board has not granted a deferral to the program at any time during the preceding 24 months.

(c) If the Annual Report indicates that the program has undergone material changes since the Board assigned full approval and those changes are of a nature that may impair the program's capacity to meet the minimum standards for full approval specified in 272 CMR 5.04, the Board may re-evaluate the program's approval status. As part of the re-evaluation, the Board may request that representative(s) of the parent institution, the program administrator, or both appear before the board to answer Board member inquiries. The Board may also request that representative(s) of the parent institution, the program administrator, or both provide additional documentation relevant to the program's capacity to meet minimum standards.

(6) Board Re-evaluation of Programs based on Information Received. In the event that the Board receives information indicating that an approved program does not in fact meet one or more minimum standards, or that grounds exist for the Board's withdrawal of approval pursuant to 272 CMR 5.06, the Board may re-evaluate the program's approval status. As part of the re-evaluation, the Board may request that representative(s) of the parent institution, the program administrator, or both appear before the board to answer Board member inquiries. The Board may also request that representative(s) of the parent institution, the program administrator, or both provide additional documentation relevant to the program's capacity to meet minimum standards or the existence of grounds for withdrawal of approval.

(7) Approval with Warning Status and Re-evaluation.

(a) Failure to Submit Annual Report. If the program administrator fails to submit a fully complete and signed Annual Report by October 1st, without cause and without the Board's deferral pursuant to 272 CMR 5.05(5)(b), the Board may assign approval with warning status. The Board's notice shall include, in addition to the status and status effective date, the date by which the program administrator must submit a fully complete and signed Annual Report in order to avoid the Board's withdrawal of approval. The Board's notice may further specify whether or not the Board approves the program's continuing education activities to satisfy the continuing education requirements at 272 CMR7.02(1).

(b) Failure to Meet Minimum Standards.

1. If the Board determines, after re-evaluation in accordance with 272 CMR 5.05(5)(c) or 5.05(6), that a Community Health Worker Education and Training Program can no longer demonstrate the capacity to meet the

minimum standards for full approval specified in 272 CMR 5.04, the Board shall assign approval with warning status. The Board's notice shall include, in addition to the status and status effective date, the standard(s) which the Board determined that the program did not meet, the date by which the program administrator must submit a plan of correction that addresses the unmet standard(s) and a deadline by which the program must demonstrate the capacity to meet all minimum standards. The Board may, at the Board's discretion, request that the program administrator appear before it to answer inquiries about the plan of correction.

2. After the deadline specified, the Board shall re-evaluate the Community Health Worker Education and Training Program to determine whether it meets the minimum standards for full approval specified in 272 CMR 5.04. The Board may request that representative(s) of the parent institution, the program administrator, or both appear before the board to answer Board member inquiries as part of the Board's re-evaluation. The Board may also request that representative(s) of the parent institution, the program administrator, or both provide additional documentation relevant to the program's capacity to meet minimum standards.

5.06: Board Withdrawal of Program Approval

(1) The Board may assign approval withdrawn status to a Community Health Worker Education and Training Program in any of the following circumstances:

- (a) The Board assigned provisional approval status to the program effective more than 18 months earlier, and, after further evaluation in accordance with 272 CMR 5.05(4), the Board determines that the program does not meet all minimum standards for full approval;
- (b) The Board assigned approval with warning status to the program effective more than one year earlier, and, after further evaluation in accordance with 272 CMR 5.05(6), the Board determines that the program does not meet all minimum standards for full approval; or
- (c) The Board requests that the program administrator appear before the Board and the program administrator fails, without cause, to do so;
- (d) The Board requests that the program administrator provide information to the Board and the program administrator fails, without cause, to do so;
- (e) The Board determines that information submitted on behalf of the program for the purpose of obtaining or maintaining approval contains factual inaccuracies that are material in nature;
- (f) The program or the program administrator was found to have engaged in fraudulent or discriminatory activity by a court of competent jurisdiction or by a state agency with authority to oversee and adjudicate allegations of such activity; or
- (g) Other grounds as permitted by law.

(2) The Board's notice shall include, in addition to the status and status effective date, the basis for the Board's withdrawal of its approval.

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REGULATORY AUTHORITY:

272 CMR 5.00: M.G.L. c. 112, § 108(b); M.G.L. c. 112, § 108(g); M.G.L. c. 112, § 260