

REFERENCE TITLE: **community health workers; voluntary certification.**

State of Arizona
House of Representatives
Fifty-third Legislature
First Regular Session
2017

HB 2426

Introduced by
Representatives Fernandez: Alston, Andrade, Butler, Cardenas, Chávez,
Descheenie, Gabaldón, Gonzales, Hernandez, Navarrete, Powers Hannley,
Rios, Rubalcava, Salman

AN ACT

AMENDING TITLE 36, CHAPTER 6, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 10; RELATING TO PUBLIC HEALTH.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 36, chapter 6, Arizona Revised Statutes, is
3 amended by adding article 10, to read:

4 ARTICLE 10. COMMUNITY HEALTH WORKERS

5 36-795. Definitions

6 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 1. "APPLICANT" MEANS AN INDIVIDUAL WHO IS APPLYING TO BE CERTIFIED
8 OR RECERTIFIED AS A COMMUNITY HEALTH WORKER.

9 2. "BOARD" MEANS THE COMMUNITY HEALTH WORKERS ADVISORY BOARD.

10 3. "CERTIFICATE" MEANS THE DOCUMENT ISSUED BY THE DEPARTMENT TO A
11 QUALIFIED APPLICANT FOR CERTIFICATION AS A COMMUNITY HEALTH WORKER.

12 4. "CERTIFICATION" MEANS THE VOLUNTARY PROCESS BY WHICH THE
13 DEPARTMENT GRANTS RECOGNITION AND USE OF A CREDENTIAL TO AN INDIVIDUAL WHO
14 HAS MET PREDETERMINED AND STANDARDIZED REQUIREMENTS AS A COMMUNITY HEALTH
15 WORKER.

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

19 6. "COMMUNITY HEALTH WORKER" MEANS A FRONTLINE PUBLIC HEALTH WORKER
20 WHO IS A TRUSTED MEMBER OF THE COMMUNITY THE WORKER SERVES OR HAS AN
21 IN-DEPTH UNDERSTANDING OF THE COMMUNITY THE WORKER SERVES, WHO SERVES AS A
22 LIAISON BETWEEN HEALTH SERVICE PROVIDERS OR SOCIAL SERVICE PROVIDERS AND
23 COMMUNITY MEMBERS TO FACILITATE ACCESS TO SERVICES AND IMPROVE THE QUALITY
24 AND CULTURAL COMPETENCE OF SERVICE DELIVERY AND WHO BUILDS INDIVIDUAL AND
25 COMMUNITY CAPACITY BY INCREASING HEALTH KNOWLEDGE AND SELF-SUFFICIENCY
26 THROUGH A RANGE OF ACTIVITIES SUCH AS OUTREACH, COMMUNITY EDUCATION,
27 INFORMAL COUNSELING, SOCIAL SUPPORT AND ADVOCACY.

28 7. "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH SERVICES.

29 8. "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT.

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

35 10. "RECERTIFICATION" MEANS A RENEWAL OF CERTIFICATION.

36 36-795.01. Community health workers advisory board

37 A. THE COMMUNITY HEALTH WORKERS ADVISORY BOARD IS ESTABLISHED
38 WITHIN THE DEPARTMENT CONSISTING OF NINE MEMBERS, THE MAJORITY OF WHOM ARE
39 COMMUNITY HEALTH WORKERS, WHO ARE RESIDENTS OF THIS STATE, WHO ARE
40 APPOINTED BY THE DIRECTOR AND WHO SERVE AT THE PLEASURE OF THE DIRECTOR.

41 B. THE BOARD SHALL MAKE RECOMMENDATIONS TO THE DEPARTMENT
42 REGARDING:

43 1. STANDARDS AND REQUIREMENTS FOR THE ESTABLISHMENT AND BOARD
44 EVALUATION OF COMMUNITY HEALTH WORKER EDUCATION AND TRAINING PROGRAMS IN
45 THIS STATE.

1 2. STANDARDS AND REQUIREMENTS FOR APPROVAL OR ACCEPTANCE OF
2 CONTINUING EDUCATION COURSES AND PROGRAMS AS THE BOARD MAY REQUIRE FOR THE
3 BIENNIAL RENEWAL OF A COMMUNITY HEALTH WORKER CERTIFICATE.

4 3. MINIMUM EDUCATION, TRAINING, EXPERIENCE AND OTHER QUALIFICATIONS
5 THAT CERTIFIED COMMUNITY HEALTH WORKERS MUST POSSESS TO QUALIFY AS A
6 TRAINER IN ANY EDUCATION, TRAINING OR CONTINUING EDUCATION PROGRAM FOR
7 COMMUNITY HEALTH WORKERS APPROVED OR ACCEPTED BY THE BOARD.

8 4. THE CORE COMPETENCIES OF COMMUNITY HEALTH WORKERS, INCLUDING
9 SKILLS AND AREAS OF KNOWLEDGE THAT ARE ESSENTIAL TO BRING ABOUT EXPANDED
10 HEALTH AND WELLNESS IN DIVERSE COMMUNITIES AND TO REDUCE HEALTH
11 DISPARITIES.

12 5. THE TYPE OF CERTIFICATION EXAMINATION OR OTHER MEANS TO ASSESS
13 COMMUNITY HEALTH WORKER COMPETENCY IN CONNECTION WITH CERTIFICATION THAT
14 THE DEPARTMENT REQUIRES IF THE DEPARTMENT DETERMINES THAT A CERTIFICATION
15 EXAMINATION WOULD ENHANCE THE ADVANCEMENT OF THE PRACTICE AND PROFESSION
16 OF COMMUNITY HEALTH WORKERS.

17 6. ANY OTHER MATTER AS REQUESTED BY THE DIRECTOR.

18 36-795.02. Voluntary certification; rules

19 A. THE DEPARTMENT SHALL ADOPT RULES RELATING TO THE FOLLOWING:

20 1. THE ESTABLISHMENT AND ADMINISTRATION OF A VOLUNTARY PROCESS FOR
21 THE CERTIFICATION OF COMMUNITY HEALTH WORKERS THAT INCLUDES CRITERIA FOR:

22 (a) MINIMUM EDUCATION, TRAINING AND EXPERIENCE FOR AN INDIVIDUAL TO
23 SUCCESSFULLY COMPLETE TO BE ELIGIBLE TO APPLY FOR CERTIFICATION AS A
24 COMMUNITY HEALTH WORKER.

25 (b) ATTESTATION REQUIREMENTS OF AN APPLICANT RELATING TO GOOD MORAL
26 CHARACTER.

27 (c) OTHER QUALIFICATIONS THAT THE DEPARTMENT DETERMINES
28 APPROPRIATE.

29 2. PROCEDURES FOR THE APPLICATION, RECEIPT, REVIEW AND ACTION ON
30 APPLICATIONS FOR INITIAL COMMUNITY HEALTH WORKER CERTIFICATION AND FOR
31 BIENNIAL RECERTIFICATION.

32 3. STANDARDS FOR CONTINUING EDUCATION AND OTHER REQUIREMENTS THAT
33 THE DEPARTMENT DETERMINES APPROPRIATE FOR BIENNIAL RECERTIFICATION.

34 4. PROCEDURES FOR DISCIPLINARY ACTION RELATING TO APPLICANTS OR
35 CERTIFIED COMMUNITY HEALTH WORKERS THAT INCLUDE GUIDELINES FOR ALL OF THE
36 FOLLOWING:

37 (a) DISCIPLINARY ACTION.

38 (b) REPRIMANDS.

39 (c) PROBATION.

40 (d) THE DENIAL, SUSPENSION OR REVOCATION OF CERTIFICATION OR
41 RECERTIFICATION.

42 5. CERTIFICATION FEES, RECERTIFICATION FEES AND DISCIPLINARY
43 PENALTIES.

44 B. THE DEPARTMENT MAY ADOPT RULES RELATING TO:

45 1. BOARD OPERATIONS.

1 2. CRIMINAL BACKGROUND SCREENING.

2 3. ANY OTHER MATTER THAT THE DEPARTMENT DETERMINES APPROPRIATE FOR
3 THE CERTIFICATION AND REGULATION OF COMMUNITY HEALTH WORKERS.

4 36-795.03. Community health workers certification fund

5 A. THE COMMUNITY HEALTH WORKERS CERTIFICATION FUND IS ESTABLISHED.
6 THE DEPARTMENT SHALL ADMINISTER THE FUND. THE DEPARTMENT SHALL DEPOSIT,
7 PURSUANT TO SECTIONS 35-146 AND 35-147, TEN PERCENT OF ALL MONIES
8 COLLECTED PURSUANT TO THIS ARTICLE IN THE STATE GENERAL FUND AND THE
9 REMAINING NINETY PERCENT IN THE COMMUNITY HEALTH WORKERS CERTIFICATION
10 FUND. MONIES IN THE FUND SHALL BE USED ONLY TO COVER THE COSTS OF
11 ADMINISTERING COMMUNITY HEALTH WORKER CERTIFICATION AND THE OPERATION OF
12 THE COMMUNITY HEALTH WORKERS ADVISORY BOARD ESTABLISHED BY THIS ARTICLE.

13 B. MONIES DEPOSITED IN THE FUND ARE SUBJECT TO SECTION 35-143.01.

14 Sec. 2. Rulemaking exemption

15 For the purposes of this act, the department of health services is
16 exempt from the rulemaking requirements of title 41, chapter 6, Arizona
17 Revised Statutes, for one year after the effective date of this act.