

1 **COMMUNITY HEALTH WORKER CERTIFICATION PROCESS**

2 2022 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Luz Escamilla**

5 House Sponsor: Stewart E. Barlow

7 **LONG TITLE**

8 **General Description:**

9 This bill creates a state certification for community health workers.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ defines terms;
- 13 ▶ creates a state certification for community health workers; and
- 14 ▶ requires the Department of Health to administer the certification.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 ENACTS:

21 **26-69-101**, Utah Code Annotated 1953

22 **26-69-102**, Utah Code Annotated 1953

23 **26-69-103**, Utah Code Annotated 1953

24 **26-69-104**, Utah Code Annotated 1953

25 **26-69-105**, Utah Code Annotated 1953

26 **26-69-106**, Utah Code Annotated 1953

27 **26-69-107**, Utah Code Annotated 1953

28

29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **26-69-101** is enacted to read:

31 **CHAPTER 69. COMMUNITY HEALTH WORKER CERTIFICATION**

32 **26-69-101. Definitions.**

33 As used in this chapter:

34 (1) "Capacity building" means strengthening an individual's or a community's ability to
35 participate in shared decision making.

36 (2) "Community health worker" means an individual who:

37 (a) works to improve a social determinant of health;

38 (b) acts as an intermediary between a community and health services or social services

39 to:

40 (i) facilitate access to services; or

41 (ii) improve the quality and cultural competence of service delivery; and

42 (c) increases health knowledge and self-sufficiency of an individual or a community

43 through outreach, capacity building, community education, informal counseling, social support,
44 and other similar activities.

45 (3) "Core-skill education" means education regarding each of the following:

46 (a) self-reliance;

47 (b) outreach;

48 (c) capacity building;

49 (d) individual and community assessment;

50 (e) coordination skills;

51 (f) relationship building;

52 (g) facilitation of services;

53 (h) communication;

54 (i) professional conduct; and

55 (j) health promotion.

56 (4) "Core-skill training" means:

57 (a) 90 hours of competency-based education; and

58 (b) 300 hours of community involvement as determined by the department through
59 rule.

60 (5) "Social determinate of health" means any condition in which an individual or a
61 community lives, learns, works, plays, worships, or ages, that affects the individual's or the
62 community's health or quality of life outcomes or risks.

63 (6) "State certified" means that an individual has obtained the state certification
64 described in Subsection 26-69-104(1).

65 Section 2. Section **26-69-102** is enacted to read:

66 **26-69-102. Rulemaking.**

67 The department may make rules as authorized by this chapter in accordance with Title
68 63G, Chapter 3, Utah Administrative Rulemaking Act.

69 Section 3. Section **26-69-103** is enacted to read:

70 **26-69-103. Community Health Worker Certification Advisory Board.**

71 The department shall notify the Health and Human Services Interim Committee if the
72 department determines that there is a need to create, by statute, a Community Health Worker
73 Certification Advisory Board.

74 Section 4. Section **26-69-104** is enacted to read:

75 **26-69-104. Certification -- Unlawful conduct.**

76 (1) The department shall issue to an individual who qualifies under this chapter a
77 certification as a state certified community health worker.

78 (2) An individual may not use the term "state certified" in conjunction with the
79 individual's work as a community health worker if the individual is not state certified.

80 (3) The department may fine an individual who violates Subsection (2) in an amount
81 up to \$100.

82 Section 5. Section **26-69-105** is enacted to read:

83 **26-69-105. Qualifications for certification.**

84 (1) The department shall issue a certification described in Section 26-69-104 to a
85 community health worker if the community health worker has:

- 86 (a) completed core-skill training administered by:
- 87 (i) the department;
- 88 (ii) a state professional association that:
- 89 (A) is associated with the community health worker profession; and
- 90 (B) is aligned with a national community health worker professional association; or
- 91 (iii) an entity designated by a state professional association described in Subsection
- 92 (1)(a)(ii);
- 93 (b) completed training regarding basic medical confidentiality requirements, including
- 94 the confidentiality requirements of the Health Insurance Portability and Accountability Act of
- 95 1996, Pub. L. No. 104-191, 110 Stat. 1936, as amended;
- 96 (c) completed an application as designed by the department with a signed statement
- 97 agreeing to abide by national standards of practice and ethics for community health workers;
- 98 and
- 99 (d) paid a fee established by the department under Section [63J-1-504](#).

100 (2) A community health worker with at least 4,000 hours of experience as a community
101 health worker is exempt from the core-skill training requirement described in Subsection
102 (1)(a).

103 Section 6. Section **26-69-106** is enacted to read:

104 **26-69-106. Certification is voluntary.**

105 This chapter does not prohibit an individual from acting as a community health worker
106 if the individual does not have a certificate described in this chapter.

107 Section 7. Section **26-69-107** is enacted to read:

108 **26-69-107. Term of certification - Expiration - Renewal.**

109 (1) Subject to Subsection (2), the department shall issue each certification under this
110 chapter in accordance with a two-year renewal cycle.

111 (2) The department may by rule extend or shorten a renewal cycle by as much as one
112 year to stagger the renewal cycles that the department administers.

113 (3) (a) The department shall print the expiration date on the certification.

114 (b) Each certification automatically expires on the date shown on the certificate.

115 (c) The department shall establish procedures through rule to notify each state certified
116 community health worker when the certification is due for renewal.

117 (4) (a) The department shall renew a certification if the individual has:

118 (i) met each renewal requirement established by the department through rule; and

119 (ii) paid a certification renewal fee established by the department.

120 (b) A rule created by the department under Subsection (4)(a)(i) shall include a
121 requirement regarding:

122 (i) continuing education; and

123 (ii) maintaining professional conduct.