

**COMMUNITY HEALTH WORKER CERTIFICATION PROCESS**

2022 GENERAL SESSION

STATE OF UTAH

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**LONG TITLE**

**General Description:**

This bill creates a state certification for community health workers.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ creates a state certification for community health workers; and
- ▶ requires the department of health to administer the certification.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

- 26-69-101**, Utah Code Annotated 1953
- 26-69-102**, Utah Code Annotated 1953
- 26-69-103**, Utah Code Annotated 1953
- 26-69-104**, Utah Code Annotated 1953
- 26-69-105**, Utah Code Annotated 1953
- 26-69-106**, Utah Code Annotated 1953
- 26-69-107**, Utah Code Annotated 1953
- 26-69-108**, Utah Code Annotated 1953

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

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

**CHAPTER 69. COMMUNITY HEALTH WORKER CERTIFICATION**

**26-69-101. Title.**

32 This chapter is known as "Community Health Worker Certification."

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

34 **26-69-102. Definitions.**

35 As used in this chapter:

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

38 (2) "Core-skill education" means education regarding each of the following:

39 (a) advocacy;

40 (b) outreach;

41 (c) capacity building;

42 (d) individual and community assessment;

43 (e) coordination skills;

44 (f) relationship building;

45 (g) facilitation of services;

46 (h) communication; and

47 (i) professional conduct.

48 (3) "Core-skill training" means:

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

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

52 (4) "Community health worker" means an individual who:

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

54 (b) acts as an intermediary between a specific community and health services or social  
55 services to:

56 (i) facilitate access to services; or

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

58 (c) increases health knowledge and self-sufficiency of an individual or a specific  
59 community through outreach, capacity building, community education, informal counseling,  
60 social support, advocacy, and other similar activities.

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

63 community's health or quality of life.

64 (6) "State certified" means, when used in conjunction with a community health worker,  
65 a title that may be used by an individual who has obtained the state certification described in  
66 Section 26-69-105.

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

68 **26-69-103. Rulemaking.**

69 The department may make rules as authorized by this chapter in accordance with Title  
70 63G, Chapter 3, Utah Administrative Rulemaking Act.

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

72 **26-69-104. Community Health Worker Certification Advisory Board.**

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

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

77 **26-69-105. Certification -- Unlawful Conduct.**

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

80 (2) An individual may not use the term state certified in conjunction with the  
81 individual's work as a community health worker if the individual does not have the certification  
82 described in Subsection (1).

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

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

86 **26-69-106. Qualifications for certification.**

87 (1) The department shall issue a certification described in Section 26-69-105 to a  
88 community health worker if the community health worker has:

89 (a) completed core-skill training administered by:

90 (i) the department;

91 (ii) a state professional association that:

92 (A) is associated with the community health worker profession; and

93 (B) is aligned with a national community health worker professional association; or  
94 (iii) an entity designated by a state professional association described in Subsection  
95 (1)(a)(ii); and

96 (b) completed training regarding basic medical confidentiality requirements, including  
97 the confidentiality requirements of the Health Insurance Portability and Accountability Act of  
98 1996, Pub. L. No. 104-191, 110 Stat. 1936, as amended;

99 (c) completed an application as designed by the department with a signed statement  
100 agreeing to abide by national standards of practice and ethics for community health workers;  
101 and

102 (d) paid a fee established by the department under Section 63J-1-504.

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

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

107 **26-69-107. Certification is voluntary.**

108 (1) The certification provided under this chapter is voluntary unless an individual seeks  
109 Medicaid reimbursement for the provision of services.

110 (2) This chapter does not prohibit an individual from acting as a community health  
111 worker, if the individual does not have a certificate described in this chapter.

112 Section 8. Section **26-69-108** is enacted to read:

113 **26-69-108. Term of Certification - Expiration - Renewal.**

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

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

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

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

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

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

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

- 124            (ii) paid a certification renewal fee established by the department.
- 125            (b) A rule created by the department under Subsection (4)(a)(i) shall include a
- 126 requirement regarding:
- 127            (i) continuing education; and
- 128            (ii) maintaining professional conduct.