

TITLE 9. HEALTH SERVICES
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A.R.S. § 36-765.02(A)(3) ...establish standards and requirements for the establishment of certified community health worker education and training program, i.e. Special Licensing Program

ARTICLE 8. COMMUNITY HEALTH WORKERS

R9-16-801. Definitions

In addition to the definitions in A.R.S. § 36-765, the following definitions apply in this Article, unless otherwise specified:

1. "Accredited" means approved by the:
 - a. New England Commission of Higher Education,
 - b. Middle States Commission on Higher Education,
 - c. Higher Learning Commission,
 - d. Northwest Commission on Colleges and Universities,
 - e. Southern Association of Colleges and Schools Commission on Colleges, or
 - f. WASC Senior College and University Commission.
2. "Administrative completeness review time-frame" has the same meaning as in A.R.S. § 41-1072.
3. "Applicant" means an individual who submits an application and required documentation for approval to practice as a certified community health worker.
4. "Behavioral health services" means information and care provided by certified or licensed behavioral health professionals pursuant to A.R.S. § 32-3251(8).
5. "Calendar day" means each day, not including the day of the act, event, or default from which a designated period of time begins to run and including the last day of the period unless it is a Saturday, Sunday, statewide furlough day, or legal holiday, in which case the period runs until the end of the next day that is not a Saturday, Sunday, statewide furlough day, or legal holiday.
6. "Certification" means an approval granted to individuals who meet the qualifications, including education and training requirements, in this Article for certified community health workers.
7. "Certified CHW" means the same as a "certified community health worker" in A.R.S. § 36-765.
8. "CHW" means the same as a "community health worker" in A.R.S. § 36-765.
9. "CHW trainer" means an individual who meets the requirements in R9-16-803 and provides training and supervision to individuals who seek certification as a certified CHW.
10. "CHW training program" means approved community health education and instruction required for individuals seeking a CHW certification issued by the Department.

11. “Client” means an individual receiving community health services provided by a certified CHW.
12. “Community Health Representative” or “CHR” means an individual who has completed an Indian Health Services (IHS) National Certification Training Program for:
 - a. Basic training through completing general health education to promote health and social services and assist in the prevention of disease and disabilities in tribal communities; or
 - b. Advanced training through increased health and knowledge for a variety of public health topics designed to improve outreach capacity to advance tribal health systems.
13. “Community health services” means non-medical support, care, and assistance:
 - a. Specified in the scope of practice and core competencies in this Article;
 - b. Provided by a certified CHW to a client on behalf of a service provider, whether physical health or behavioral health services; and
 - c. Improves the quality of delivery and coordination of care resulting in better medical and behavioral health outcomes.
14. "Continuing education" means a course that provides training and instruction that is designed to develop or improve a certified CHW's or certified CHW trainer's professional competence in areas directly related to the practice of a community health worker.
15. “Contractor” means the same as in A.R.S. § 36-2901.
16. “Core competencies” means curriculum that provides knowledge to develop core skills and assume job responsibilities, including:
 - a. Communication skills,
 - b. Interpersonal and relationship-building,
 - c. Service coordination and navigation,
 - d. Capacity-building,
 - e. Advocacy,
 - f. Education and facilitation,
 - g. Individual and community assessment,
 - h. Outreach,
 - i. Professional skills and conduct,
 - j. Evaluation and research skills, and
 - k. Knowledge base.
17. "Course" means a workshop, seminar, lecture, conference, or class.

18. “Direct services” means personal interaction to assist or deliver care provided by a certified community health worker, including:
 - a. Transportation assistance,
 - b. Fall risk assessments,
 - c. Welfare checks,
 - d. Employment assistance, and
 - e. Other similar health and social services not provided by a licensed health or behavioral health professional.
19. “Documentation” means information in written, photographic, electronic or other permanent form.
20. “Licensed health care facility” means the same as “health care institution” specified in A.R.S. § 36-401.
21. “National Certification Training Program” means a health education and skills management curriculum approved by IHS for individuals wishing to be a certified CHR that provides community health services in a tribal and Native community.
22. “Observation” means to witness:
 - a. The provision of community health services to a client, or
 - b. A demonstration of how to provide community health services to a client.
23. “Organization” means a person specified in A.R.S. § 1-215, and includes a tribal government.
24. “Overall time-frame” has the same meaning as in A.R.S. § 41-1072.
25. “Person” means the same as in A.R.S. § 1-215 and includes a governmental agency.
26. “Physical health services” means information and care provided by licensed health professionals pursuant to A.R.S. § 32-3201.
27. “Service provider” means a person, health professionals pursuant to A.R.S. § 32-3201, and behavioral health professionals pursuant to A.R.S. § 32-3251(8) who provide services to clients according to a contract or service agreement.
28. “Supervision” means training and monitoring provided by a certified CHW trainer specified in A.R.S. § 36-765.02(A)(5) to prepare individuals wishing to obtain a community health worker certification.
29. “Training and instruction” means educational activities that develop and improve an individual’s professional competence in areas related to the practice of a community health worker specified in A.R.S. § 36-765, specific to the delivery of services identified in CHW’s scope of practice and core competencies specified in this Article.

R9-16-802. Community Health Worker Eligibility and Scope of Practice

- A.** An individual may provide community health services in Arizona without obtaining certification as a certified CHW specified in this Article.
- B.** An individual is eligible to practice as a certified CHW, if the individual:
1. Is 18 years of age or older;
 2. Has at least a high school diploma or high school equivalency diploma;
 3. Has documentation of:
 - a. Nine hundred and sixty hours of paid or volunteer experience providing CHR or CHW services in the core competencies specified in this Article and completed during the previous three-year time-period:
 - i. In a licensed health care facility;
 - ii. In the service of a licensed health care provider specified in A.R.S. § 32-3201(2), including licensed behavioral health care providers specified in A.R.S. § 32-3251(8); or
 - iii. In the service of a contractor providing CHR or CHW services under A.R.S. Title 36, Chapter 29, Article 1 specified in A.R.S. § 36-765.02(C);
 - b. Completing a CHW certificate program, including core competencies, provided by an accredited college, and 480 hours of paid or volunteer CHR or CHW experience completed during the previous three years;
 - c. Completing a CHW training program provided by an organization or certified CHW trainer, including core competencies and 480 hours of paid or volunteer CHR or CHW experience completed during the previous three years; or
 - d. Completing a CHR National Certification Training Program for:
 - i. Basic training certification and 480 hours of paid or volunteer CHR or CHW experience completed during the previous three years, or
 - ii. Advanced training certification and 380 hours of paid or volunteer CHR or CHW experience completed during the previous three years; an
 4. Completes an initial CHW application.
- C.** A certified CHW's scope of practice includes:
1. Providing cultural mediation among individuals, communities, and health and social systems;
 2. Providing culturally appropriate health education and information;
 3. Providing care coordination, case coordination and system navigation;
 4. Providing coaching and social support;

5. Advocating for individuals and communities;
6. Building individual and community capacity;
7. Providing direct services;
8. Implementing individual and community assessments;
9. Conducting outreach; and
10. Participating in evaluation and research.

D. In addition to core competencies specified in R9-16-801(15), a CHW's roles and activities may include:

1. Diabetes education;
2. Disease intervention;
3. Nutrition, specifically food preparation and purchasing;
4. Parenting education;
5. Community wellness partner;
6. Connect clients to health education and community resources;
7. Blood pressure education;
8. Delivery of medical supplies and equipment to assist client's needs;
9. Outreach to clients who are out of care;
10. Hearing and vision screenings; and
11. Other similar health and social services provided on behalf of a health and behavioral health service providers.

E. A certified CHW shall not provide physical health services or behavioral health services to a client.

R9-16-803. Community Health Worker Trainer Qualifications

A. A certified CHW, who wishes to provide training and supervision to individuals who wish to obtain a CHW certification, shall:

1. Be 21 years of age or older;
2. Have at least:
 - a. A high school diploma or high school equivalency diploma and 250 hours providing training and instruction related to practices specified in R9-16-802(C) and (D) to individuals who wish to obtain a CHW certification; or
 - b. A diploma in public health or other medical disciplines, including behavioral health, from an accredited college or university for which the individual received a degree, and 150 hours of providing training and instruction related to practices

specified in R9-16-802(C) and (D) to individuals who wish to obtain a CHW certification;

- c. A diploma in public health or other medical disciplines, including behavioral health, from an accredited college or university for which the individual received a degree and provided training and instruction related to practices specified in R9-16-802(C) and (D) to individuals who wish to obtain a CHW certification including;

- i. An associate's degree and 200 hours providing training and instruction;
- ii. A bachelor's degree and 150 hours providing training and instruction;
- iii. A master's degree and 100 hours providing training and instruction; or
- iv. A doctorate's degree and 50 hours providing training and instruction;

3. Maintain documentation that demonstrates completion of the requirements in subsection (A)(2); and

4. Provide copy of documentation specified in subsection (A)(3) to individuals who wish to obtain a CHW certification for individuals to provide to the Department when completing an initial CHW application.

B. A certified CHW trainer who provides training and supervision to an individual seeking certification as a certified CHW shall:

1. Establish a record for each individual who receives training and supervision that includes:

- a. The individual's name, home address, telephone number, and e-mail address;
- b. A plan indicating the types of skills and number of hours allocated to the development of each skill that is expected to be completed;
- c. A document listing each occurrence of training and supervision provided to an individual that includes:

- i. Business name and address where training or supervision occurred,
- ii. The date and time when a training or supervision started and ended,
- iii. The types of knowledge and skills provided, and
- iv. Notation explaining the individual's progress;

- d. Documentation of evaluations provided to the individual during the time training or supervision was provided; and

- e. Documentation of when training and supervision was terminated.

2. Maintain an individual's CHW records for at least two years after the last date the individual received training and supervision from the certified CHW trainer.

3. Provide individuals, who have completed training and supervision, a certificate that specifies:
 - a. The individual's first and last name;
 - b. The title of the training;
 - c. A description of the knowledge or types of skills provided;
 - d. The core competencies covered;
 - e. The number of classroom training hours attended;
 - f. The number of supervision hours provided, if applicable;
 - g. The individual's training score, whether pass or not pass;
 - h. The date the training was held or completed;
 - i. The name of the organization providing training and location; and
 - j. The CHW trainer's written name, signature, and date signed.

R9-16-804. Initial Community Health Worker Application

- A. An applicant for a CHW certification shall submit to the Department:
 1. An application provided in a Department-provided format that contains:
 - a. The applicant's name, home address, telephone number, and e-mail address;
 - b. The applicant's Social Security number, as required under A.R.S. §§ 25-320 and 25-502;
 - c. Whether the applicant has completed high school or a high school equivalency program;
 - d. Whether the applicant is or has been certified as a CHW in another state or country;
 - e. Whether the applicant has ever been convicted of a felony or a misdemeanor involving moral turpitude in this or another state;
 - f. If the applicant has been convicted of a felony or a misdemeanor involving moral turpitude:
 - i. The date of the conviction,
 - ii. The state or jurisdiction of the conviction,
 - iii. An explanation of the crime of which the applicant was convicted, and
 - iv. The disposition of the case;
 - g. Whether the applicant has had a certification or license revoked or suspended by any state within the previous two years;
 - h. Whether the applicant is currently ineligible for certification or licensure in any state because of a revocation or suspension;

- i. Whether any disciplinary action has been imposed by any state, territory or district in this country for an act related to the applicant's practice as a CHW;
 - j. Whether the applicant agrees to allow the Department to submit supplemental requests for information under A.R.S. § 41-1075;
 - k. An attestation that the information submitted is true and accurate; and
 - l. The applicant's signature and date of signature;
2. If applicable, a list of all states and countries in which the applicant is or has been certified or licensed as a CHW;
3. Documentation of an applicant's conviction of a felony or a misdemeanor involving moral turpitude in this or another state that includes:
 - a. The date of the conviction,
 - b. The state or jurisdiction of the conviction,
 - c. A description of the crime of which the applicant was convicted, and
 - d. The disposition of the case;
4. If a certificate or license for the applicant has been revoked or suspended by any state within the previous two years, documentation that includes:
 - a. The date of the revocation or suspension,
 - b. The state or jurisdiction of the revocation or suspension, and
 - c. An explanation of the revocation or suspension;
5. If the applicant is currently ineligible for certificate or license in any state because of a revocation or suspension, documentation that includes:
 - a. The date of the ineligibility for certification or license,
 - b. The state or jurisdiction of the ineligibility for certification or license, and
 - c. An explanation of the ineligibility for certification or license;
6. If the applicant has been disciplined by any state, territory, or district of this country for an act related to the applicant's practice as a CHW, documentation that includes:
 - a. The date of the disciplinary action,
 - b. The state or jurisdiction of the disciplinary action,
 - c. An explanation of the disciplinary action, and
 - d. Any other applicable documents, including a legal order or settlement agreement;
7. Documentation of the applicant's citizenship or alien status that complies with A.R.S. § 41-1080;
8. As applicable, documentation that demonstrates:

- a. Nine hundred and sixty hour of paid or volunteer CHW experience in core competencies specified in R9-16-802(B)(3)(a):
 - i. The applicant's name;
 - ii. As applicable, the name of each health care facility, licensed health care provider, or contractor for whom core competencies were completed;
 - iii. Name of the applicant's supervisor and supervisor's title;
 - iv. The types of core competencies completed for each health care facility, licensed health care provider, or contractor listed in subsection (ii);
 - v. The dates or range of dates when the core competencies in subsection (iv) were completed;
 - vi. The number of hours completed for the core competencies listed in subsection (v); and
 - vii. The supervisor's signature and date of signature;
- b. Completion of a CHW certificate program provided by an accredited college and 480 hours of paid or volunteer CHW experience specified in R9-16-802(B)(3)(b);
- c. Completion of a CHW training program provided by an organization or certified CHW trainer and 480 hours of paid or volunteer CHW experience specified in R9-16-802(B)(3)(c) including:
 - i. The applicant's name;
 - ii. The name of the CHW training program attended;
 - iii. The name of the organization providing the CHW training program;
 - iv. The types of core competencies completed;
 - v. The dates or range of dates when the core competencies in subsection (iii) were completed;
 - vi. The number of hours completed for each core competency completed in subsection (iv); and
 - vii. The signature of the individual overseeing the instruction of the CHW training program and the date of signature;
- d. Completion of a CHR National Certification Training Program specific in R9-16-802(B)(3)(d):
 - i. Basic training certification and 480 hours of paid or volunteer CHR or CHW experience; or
 - ii. Advanced training certification and 380 hours of paid or volunteer CHR or CHW experience; and

- e. Completion of high school or high school equivalency or higher degree; and
- 9. A fee specified in R9-16-810.
- B.** In lieu of the documentation required in (A)(8), an applicant may submit documentation to the Department that includes:
 - 1. The name of each state that issued the applicant a current certification, including:
 - a. The certification number of each current certification, and
 - b. The date each current certification was issued;
 - 2. Documentation of the professional certificate or license issued to the applicant by each state in which the applicant holds a professional certificate or license;
 - 3. A statement, signed and dated by the applicant, attesting that the applicant:
 - a. Has been certified or licensed in another state for at least one year, with a scope of practice consistent with the scope of practice for which certification is being requested;
 - b. Has met minimum education requirements specified in this Article;
 - c. Has not voluntarily surrendered a certification or license in any other state or country while under investigation for unprofessional conduct; and
 - d. Does not have a complaint, allegation, or investigation pending before another regulatory entity in another state or country related to unprofessional conduct.
- C.** The Department shall review the application and required documentation for certification as a CHW according to R9-16-808 and Table 8.1.

R9-16-805. Certification Renewal

- A.** From the date of issuance, a community health worker certification is valid for two years.
- B.** At least 30 calendar days before the expiration date of a certification, an applicant shall submit to the Department:
 - 1. A renewal application in a Department-provided format that contains:
 - a. The applicant's name, home address, telephone number, and e-mail address;
 - b. The applicant's certification number and date of expiration;
 - c. Since the previous certification application, whether the applicant has been convicted of a felony or a misdemeanor involving moral turpitude in this or another state;
 - d. If the applicant was convicted of a felony or a misdemeanor involving moral turpitude:
 - i. The date of the conviction,
 - ii. The state or jurisdiction of the conviction,

- iii. An explanation of the crime of which the applicant was convicted, and
- iv. The disposition of the case;
- e. Whether the applicant has had, within two years before the renewal application date, a certificate suspended or revoked by any state;
- f. An attestation that:
 - i. The applicant has completed 24 hours of continuing education required in R9-16-806 and documentation of the completed continuing education is available upon the Department's request;
 - ii. The applicant authorizes the Department to verify all information provided in the renewal application packet;
 - iii. The information submitted as part of the renewal application packet is true and accurate; and
 - iv. The applicant's signature and date of signature.
- 2. A fee specified in R9-16-810.
- C.** Documentation of an applicant's conviction of a felony or a misdemeanor involving moral turpitude in this or another state that includes the information specified in subsection (A)(1)(d) issued by the prosecuting state or jurisdiction.
- D.** An applicant who does not submit the documentation and the fee in subsection (B) shall apply for a new certificate in R9-16-804.
- E.** The Department shall review the application and required documentation for renewal certification as a CHW according to R9-16-808 and Table 8.1.

R9-16-806. Continuing Education

- A.** A certified CHW shall complete 24 hours of continuing education hours within the two years prior to renewing certification specified in A.R.S. § 36-765.02.
- B.** Continuing education shall:
 - 1. Directly relate to CHW core competencies including services, skills, and knowledge that:
 - a. Facilitates access to quality of care delivery and health outcomes for clients receiving services; and
 - b. Expands health and wellness in diverse communities to reduce health disparities;
 - 2. Have educational objectives that exceed an introductory level of knowledge related to health and community services; and
 - 3. Consist of courses related to core competencies, such as:
 - a. Health and social service systems;
 - b. Disease prevention to help manage health conditions;

- c. Health promotion education;
- d. Health literacy and cross-cultural communication;
- e. Referrals and providing follow-up;
- f. Individual support and coaching;
- g. Outreach methods and strategies;
- h. Client and community assessment;
- i. Health education for behavior change;
- j. Provide direct services;
- k. Home visits to provide education, assessment, and social support; and
- l. Support, advocacy, and health system navigation for clients.

C. A continuing education course developed, endorsed, or sponsored by one of the following that meets the requirements in subsection (B):

1. National Community Health Worker Training Center;
2. Arizona Community Health Workers Association;
3. Centers for Disease Control and Prevention: Training and Continuing Education;
4. Arizona Alliance for Community Health Centers;
5. National Commission for Health Education Credentialing;
6. American Diabetes Association;
7. Western Region Public Health Training Center;
8. Indian Health Service; and
9. Other certified CHW training programs approved by the Department.

R9-16-807. Enforcement

A. The Department may deny, suspend or revoke a certificate holder's certification, permanently or for a fixed period of time specified in A.R.S. § 36-765.03 and this Article.

B. In determining which disciplinary action specified in subsection (A) is appropriate, the Department shall consider:

1. The type of violation,
2. The severity of the violation,
3. The danger to the public health and safety,
4. The number of violations,
5. The number of clients affected by the violations,
6. The degree of harm to the consumer,
7. A pattern of noncompliance, and
8. Any mitigating or aggravating circumstances.

- C. A certificate holder may appeal an enforcement action taken by the Department according to A.R.S. Title 41, Chapter 6, Article 10.
- D. If a certified CHW is employed by a tribe and appears to have violated this Article according to A.R.S. § 36-765.03(D), the tribal government having jurisdiction and following Tribal ordinances and policies shall:

 - 1. Review and determine whether the certified CHW has violated this Article; and
 - 2. Provide the Department with a written determination whether denied, suspended, or revoked, including specific penalties from disciplinary actions taken by the tribal government.

R9-16-808. Time-frames

- A. For a certificate or approval issued by the Department under this Article, Table 8.1 specifies the overall time-frame.

 - 1. An applicant and the Department may agree in writing to extend the substantive review time-frame and the overall time-frame.
 - 2. The extension of the substantive review time-frame and the overall time-frame may not exceed 25% of the overall time-frame.
- B. For a certificate or approval issued by the Department under this Article, Table 8.1 specifies the administrative completeness review time-frame.

 - 1. The administrative completeness review time-frame begins the date the Department receives an application required in this Article.
 - 2. Except as provided in subsection (B)(3), the Department shall provide a written notice of administrative completeness or a notice of deficiencies to an applicant within the administrative completeness review time-frame.

 - a. If a certificate application is not complete, the notice of deficiencies listing each deficiency and the information or documentation needed to complete the application.
 - b. A notice of deficiencies suspends the administrative completeness review time-frame and the overall time-frame from the date of the notice until the date the Department receives the missing information or documentation.
 - c. If the applicant does not submit to the Department all the information or documentation listed in the notice of deficiencies within 30 calendar days after the date of the notice of deficiencies, the Department shall consider the application withdrawn.

3. If the Department issues a certificate during the administrative completeness review time-frame, the Department shall not issue a separate written notice of administrative completeness.

C. For a certificate or approval issued by the Department under this Article, Table 8.1 specifies the substantive review time-frame, which begins on the date the Department sends a written notice of administrative completeness.

1. Within the substantive review time-frame, the Department shall provide a written notice to the applicant that the Department approved or denied the application.

2. During the substantive review time-frame:

a. The Department may make one comprehensive written request for additional information or documentation; and

b. If the Department and the applicant agree in writing, the Department may make supplemental requests for additional information or documentation.

3. A comprehensive written request or a supplemental request for additional information or documentation suspends the substantive review time-frame and the overall time-frame from the date of the request until the date the Department receives all the information or documentation requested.

4. If the applicant does not submit to the Department all the information or documentation listed in a comprehensive written request or supplemental request for additional information or documentation within 30 calendar days after the date of the request, the Department shall deny the certificate or approval.

D. An applicant who is denied a certification may appeal the denial according to A.R.S. Title 41, Chapter 6, Article 10.

Table 8.1 Time-frames (in calendar days)

<u>Type of Approval</u>	<u>Statutory Authority</u>	<u>Overall Time-frame</u>	<u>Administrative Completeness Review Time-frame</u>	<u>Time to Respond to Deficiency Notice</u>	<u>Substantive Review Time-frame</u>
<u>Initial Application</u>	<u>A.R.S. § 36-765.01</u>	<u>60</u>	<u>30</u>	<u>30</u>	<u>30</u>
<u>Certification Renewal</u>	<u>A.R.S. § 36-765.01</u>	<u>60</u>	<u>30</u>	<u>30</u>	<u>30</u>

R9-16-809. Changes Affecting a Certificate; Request for a Duplicate Certificate

- A.** A certified CHW shall submit to the Department a notice in a Department-provided format within 30 calendar days after the effective date of a change in:
1. The certified CHW's home address, telephone number, or e-mail address, including the new home address, telephone number, or e-mail address; and
 2. The certified CHW's name, including a copy of one of the following with the certified CHW's new name:
 - a. Marriage certificate,
 - b. Divorce decree, or
 - c. Other legal document establishing the certified CHW's new name.
- B.** A certificate holder may obtain a duplicate certificate by submitting to the Department a written request for a duplicate certificate in a Department-provided format that includes:
1. The certified CHW's name and address,
 2. The certified CHW's certification number and expiration date,
 3. The certified CHW's signature and date of signature, and
 4. A duplicate certificate fee specified in R9-16-810.

R9-16-810. Fees

- A.** An applicant shall submit to the Department for a CHW certification, a \$100 nonrefundable initial application fee.
- B.** An applicant shall submit to the Department for a CHW certification, a \$200 initial certification fee.
- C.** A certified CHW shall submit to the Department for a renewal certification, a \$200 nonrefundable renewal fee.
- D.** The fee for a duplicate certificate is \$25.
- E.** An applicant for initial certification is not required to submit the applicable fee in subsection (A) if the applicant, as part of the applicable application in R9-16-804, submits an attestation that the applicant meets the criteria for waiver of licensing fees in A.R.S. § 41-1080.01.

Note: In the September draft rules posted for review, Section R9-16-810, subsections (A) and (B) included fees for an initial application, initial certification, and renewal certification. Unfortunately, when the November draft was amended to include fee amounts in Section R9-16-810, subsections (A) and (B), the fee for an initial certification was omitted by error. This final draft corrects the omission of the initial certification fee.