

NOTICE OF PROPOSED RULEMAKING
TITLE 9. HEALTH SERVICES
CHAPTER 16. DEPARTMENT OF HEALTH SERVICES – OCCUPATIONAL
LICENSING ARTICLE 8. COMMUNITY HEALTH WORKERS

PREAMBLE

- 1. Articles, Part, and Sections Affected (as applicable) Rulemaking Action**

Article 8	New Article
R9-16-801.	New Section
R9-16-802.	New Section
R9-16-803.	New Section
R9-16-804.	New Section
R9-16-805.	New Section
R9-16-806.	New Section
R9-16-807.	New Section
R9-16-808.	New Section
Table 8.1.	New Table
R9-16-809.	New Section
R9-16-810.	New Section
- 2. Citations to the agency's statutory rulemaking authority to include authorizing statutes (general) and the implementing statutes (specific):**

Authorizing statute: A.R.S. §§ 36-132(A)(1) and 36-136(G)
Implementing statutes: A.R.S. §§ 36-765.01 through 36-765.05
- 3. Citations to all related notices published in the *Register* as specified in R1-1-409(A) that pertain to the record of the proposed rule:**

Notice of Rulemaking Docket Opening: 27 A.A.R. 725, May 7, 2021
Notice of Rulemaking Docket Opening: 26 A.A.R. 626, April 3, 2020
- 4. The agency's contact person who can answer questions about the rulemaking:**

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or

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5. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:

Pursuant to the rulemaking moratorium established by Executive Order 2019-01, the Arizona Department of Health Services ("Department") received an exception approval to promulgate new rules at Title 9, A.A.C. 16, Article 8 for certification of community health workers established by Laws 2018, Chapter 300. The Department plans to promulgate rules in accordance with A.R.S. Title 41, Chapter 6, Article 3. The new rules are necessary for the proper administration of the community health workers certification program and include requirements and standards that:

- Prescribe eligibility, scope of practice, and the core competencies of certified community health workers;
- Describe and define reasonable and necessary minimum qualifications for certified community health workers;
- Establish standards and requirements for the establishment of certified community health worker's education and training programs;
- Adopt standards and requirements for the approval or acceptance of continuing education courses and programs for the renewal of a certificate;
- Establish minimum education, training, experience and other qualifications that a certified community health worker must possess to qualify as a trainer in any education, training or continuing education program for certified community health workers;
- Establish the criteria for granting, denying, suspending, and revoking a certificate; and
- Establish and collect nonrefundable fees for certification as a community health worker.

The Department cites A.R.S. §§ 36-765.02, 36-765.03, 36-765.05 as specific authority for the Department to establish voluntary certification of community health workers and to establish rules that regulate administration and enforcement, including authority to deny, suspend or revoke a certification permanently or for a fixed period of time. The Department plans to promulgate rules in 9 A.A.C. 16, Article 8 through a regular rulemaking according to A.R.S. Title 41, Chapter 6.

6. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The Department did not review or rely on any study for this rulemaking.

7. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable.

8. The preliminary summary of the economic, small business, and consumer impact:

As stated in the 2022 Economic, Small Business, and Consumer Impact Statement, annual costs and benefits associated with the 9 A.A.C. 16, Article 8 rulemaking are designated as minimal when more than \$0 and less than \$1,000, moderate when between \$1,000 and \$10,000, and substantial when \$10,000 or greater. A cost or benefit is indicated as significant when meaningful or important and not readily subject to quantification. No new full-time employees are required due to this rulemaking. The Department identifies affected persons as the Department, health care facilities, health care providers, applicants seeking certification as a community health worker (CHW), and Arizona residents and communities where community health services are provided by certified CHWs. The Department anticipates that it will incur a moderate cost for promulgating new rules, as well as, cost related to the allocation of administrative staff to review and process applications for applicants who wish to obtain a CHW certification and for certified CHWs who wish to maintain their CHW certificate. Additionally, the Department anticipates it will most likely receive a significant benefit for having rules that increase the delivery of community health services to Arizona residents and communities. The Department plans to apply fees collected for initial applications, a one-time fee, to costs related to developing a CHWs database.

The Department expects health care facilities and health care providers will most likely not incur costs related to the rules for the certification of CHWs and rather will receive a significant benefit

for having access to individuals who have been certified by the Department and whose education, work experience, and completed services hours have been verified by the Department. Health care facilities and health care providers may also benefit from having more individuals available who choose to work in communities other than just their own communities and who increase the types of community health services that they may provided to individuals whom may not have ease access to medical care. Additionally, an increase in cost to health care facilities and health care providers could occur should health care facilities and health care providers increase hourly wages for employees who obtain a CHW certificate or provide funding to employees who request reimbursement of fees paid for CHWs certificate applications. The Department expects applicants wishing to be a certified CHW or a certified CHW seeking renewal will incur a minimal cost for paying an initial application fee of \$100 and/or a certificate fee of \$200. The Department clarifies the initial application fee is a one-time fee and the certificate fee covers a two-year certification period thus making the average annual fee for a certificate (renewal) is \$100. These fees are consistent with A.R.S. §§ 36-765.05¹ and 36-1908². The Department anticipates that applicants and certified CHWs will most likely receive a significant benefit for having rules that provide a credential that may increase income and opportunities when seeking employment as a CHW or looking to provide volunteer services. The Department expects the general public will not incur cost related to the rulemaking that provides certified individual who may provide community health services to residents in their community. However, the general public that have certified CHWs providing health services in their communities may receive a significant benefit by receiving necessary health services that their residents may not have received otherwise, and potentially, a residents only access to care. The Department has determined that the benefits outweigh potential costs associated with this rulemaking.

9. The agency's contact person who can answer questions about the economic, small business, and consumer impact statement:

Name: Thomas Salow, Interim Assistant Director

Address: Arizona Department of Health Services

¹ A.R.S. § 36-765.05. Fees; use

The director, by rule, shall establish and collect nonrefundable fees for certification that are consistent with fees that are prescribed pursuant to section 36-1908. The department shall deposit the fees in a segregated account in the health services licensing fund established by section 36-414.

² A.R.S. § 36-1908. Fees

The director shall prescribe and collect fees from persons who are regulated under this chapter for the following: (1.) An original application for a regular or temporary license. (2.) An original issuance of a regular or temporary license. (3.) An original application for a regular or temporary license if an examination pursuant to section 36-1924 is required. (4.) A renewal of a regular or temporary license. (5.) An issuance of a duplicate regular or temporary license. (6.) A late fee.

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10. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

The Department has scheduled the following oral proceeding:

Date and time: Wednesday, May 18, 2022 at 1:00 p.m.
Telephone: +1 240-617-0064 PIN: 659 165 829#
Close of record: 4:00 p.m., May 18, 2022

A person may submit written comments on the proposed rules no later than the close of record to either of the individuals listed in items #4 and #9.

11. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

There are no other matters prescribed by statutes applicable specifically to the Department or this specific rulemaking.

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

A.R.S. § 36-765.01 requires the Department to issue a community health worker certificate to persons who meets the qualifications prescribe in statutes and in rules adopted by the Department. Additionally, A.R.S. § 36-765.03 provides the Department

authority to deny, revoke, or suspend an applicant or community health worker's certification. For this reason, the Department does not use a general permit. The Department believes that under A.R.S. § 41-1037(A)(2) and (3) that a general permit is not applicable.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

There are no federal rules applicable to the subject of the rule.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

No business competitiveness analysis was submitted to the Department.

12. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

Not applicable

13. The full text of the rules follows:

TITLE 9. HEALTH SERVICES
CHAPTER 16. DEPARTMENT OF HEALTH SERVICES –
OCCUPATIONAL LICENSING
ARTICLE 8. COMMUNITY HEALTH WORKERS

Section

<u>R9-16-801.</u>	<u>Definitions</u>
<u>R9-16-802.</u>	<u>Community Health Workers Eligibility and Scope of Practice</u>
<u>R9-16-803.</u>	<u>Community Health Workers Trainer Qualifications</u>
<u>R9-16-804.</u>	<u>Initial Community Health Workers Application</u>
<u>R9-16-805.</u>	<u>Certification Renewal</u>
<u>R9-16-806.</u>	<u>Continuing Education</u>
<u>R9-16-807.</u>	<u>Enforcement</u>
<u>R9-16-808.</u>	<u>Time-frames</u>
<u>Table 8.1.</u>	<u>Time-frames (in calendar days)</u>
<u>R9-16-809.</u>	<u>Changes Affecting a Certificate; Request for a Duplicate Certificate</u>
<u>R9-16-810.</u>	<u>Fees</u>

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 CHW.
4. “Behavioral health services” means information and care provided by certified or licensed behavioral health professionals in accordance with A.R.S. Title 32, Chapter 33.
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 CHWs.
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 National 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 services 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 CHW.
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 CHW, 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 Training Program” means a health education and skills management curriculum approved by Indian Health Services for individuals wishing to obtain a CHR certification to provide 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 a health professionals as defined in A.R.S. § 32-3201.
27. “Service provider” means a person, who provides behavioral health services or physical health 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 CHW certification.
29. “Training and instruction” means educational activities that develop and improve an individual’s professional competence in areas related to the practice as a certified CHW specified in A.R.S. § 36-765 and specific to the delivery of services identified in CHW’s scope of practice and core competencies specified in this Article.

- 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 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; and
 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(16), 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 Workers 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;
 - 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; or

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 Workers 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 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 CHW 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,

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 subsections (A) and (B) 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.
- F.** Subject to the availability of Department funding, an applicant may receive a discounted fee for an initial application, initial certification, or renewal certification.