
OLR Bill Analysis

SB 859 (File 721, as amended by Senate "A" and "B")*

AN ACT CONCERNING COMMUNITY HEALTH WORKERS.

SUMMARY

This bill creates a community health worker certification program administered by the Department of Public Health (DPH). Starting January 1, 2020, the bill prohibits anyone from using the title “certified community health worker” unless they obtain this certification. The bill:

1. establishes certification requirements and sets fees for initial certifications and renewals,
2. establishes a continuing education requirement, and
3. allows DPH to take certain enforcement actions against a certificate holder who fails to comply with accepted professional standards.

The bill also establishes a 14-member Community Health Worker Advisory Body within the Office of Health Strategy (OHS). Among other things, the advisory body must advise OHS and DPH on education and certification requirements for community health worker training programs and provide DPH with a list of approved programs.

By law, community health workers are public health outreach professionals with an in-depth understanding of a community's experience, language, culture, and socioeconomic needs. Among other things, they (1) serve as liaisons between community members and health care and social service providers and (2) provide a range of services, including outreach, advocacy, and care coordination.

*Senate Amendment 'A' adds the provisions establishing

certification requirements and the Community Health Worker Advisory Board. It also removes provisions (1) allowing DPH to adopt implementing regulations and (2) eliminating an obsolete reporting requirement for OHS on the feasibility of creating a certification program.

*Senate Amendment "B" changes the effective date of the provisions on certification renewals from January 1, 2019, to January 1, 2020.

EFFECTIVE DATE: January 1, 2020

COMMUNITY HEALTH WORKER CERTIFICATION

Requirements

The bill requires community health workers to apply to DPH for certification on forms the commissioner provides and pay a \$100 application fee.

To obtain certification, an applicant must:

1. be at least 16 years old,
2. be trained or educated as a community health worker by an organization approved by the Community Health Worker Advisory Body the bill establishes,
3. submit a professional reference from an employer and a reference from a community member each with direct knowledge of the applicant's community health worker experience, and
4. have completed at least 1,000 hours of experience working as a community health worker during the three years before the application date.

Alternatively, the bill allows an applicant to (1) have completed at least 2,000 hours of paid or unpaid experience as a community health worker and (2) submit a professional reference from an employer and a reference from a community member each with direct knowledge of the applicant's community health worker experience.

Renewals

The bill requires community health workers to renew their certification every three years during their birth month and establishes a \$100 renewal fee. Renewal applicants must have completed at least 30 hours of continuing education, including two hours each on (1) cultural competency, systemic racism, or systemic oppression and (2) social determinants of health.

Exemptions

The bill exempts from the certification requirements community health workers who provide services (e.g., outreach, education, and advocacy) but do not hold themselves out to the public as a certified community health worker.

Disciplinary Action

The bill allows DPH to take disciplinary action against a certified community health worker for failing to conform to accepted professional standards, including:

1. fraud or deceit in obtaining or seeking reinstatement of a community health worker certification;
2. fraudulent or deceptive professional services or activities;
3. negligent, incompetent, or wrongful conduct in professional activities;
4. aiding or abetting an uncertified person's use of the title "certified community health worker;"
5. physical, mental, or emotional illnesses or disorders that result in his or her inability to conform to accepted professional standards; or
6. abuse or excessive use of drugs including alcohol, narcotics, or chemicals.

By law, disciplinary actions available to DPH include license revocation or suspension, censure, a letter of reprimand, probation, or

a civil penalty. The department can also order a certificate holder to undergo a reasonable physical or mental examination if there is an investigation of his or her physical or mental capacity to practice safely (CGS § 19a-17).

The bill allows the DPH commissioner to petition the Hartford Superior Court to enforce any disciplinary action the department takes. OPH must notify the certificate holder of any contemplated disciplinary action and its cause and the hearing date on the action.

COMMUNITY HEALTH WORKER ADVISORY BODY

The bill establishes a 14-member Community Health Worker Advisory Body within OHS to:

1. advise OHS and DPH on matters related to education and certification requirements for community health worker training programs, including the minimum number of hours and internship requirements for certification;
2. conduct a continuous review of these certification and education programs; and
3. provide DPH with a list of approved certification and education programs.

Under the bill, the OHS executive director, or her designee, is the advisory body's chairperson and must appoint the following members:

1. six members actively practicing as community health workers in the state,
2. one member of the Community Health Workers Association of Connecticut,
3. one representative of a community-based community health worker training organization,
4. one representative of a regional community-technical college,

5. one community health worker employer,
6. one representative of a health care organization that employs community health workers,
7. one health care provider who works directly with community health workers, and
8. the DPH commissioner or her designee.

COMMITTEE ACTION

Public Health Committee

Joint Favorable
Yea 25 Nay 0 (03/29/2019)

Appropriations Committee

Joint Favorable
Yea 36 Nay 9 (05/13/2019)