



STATE OF ARIZONA  
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY  
GOVERNOR

EXECUTIVE OFFICE

May 16, 2018

The Honorable Michele Reagan  
Secretary of State  
1700 W. Washington, 7<sup>th</sup> Floor  
Phoenix, AZ 85007

Re: H.B. 2324 community health workers; voluntary certification

Dear Secretary Reagan:

Today, I signed House Bill 2324.

My administration has prioritized occupational licensing reform with the goal of reducing barriers that make it more difficult, time-consuming, or expensive for someone to earn a living in a career of his or her choice.

While there are certainly instances where licensing is necessary to protect public health and safety, the pendulum has swung too far in favor of licensing. Nationally, in the 1950's, approximately 5% of jobs required a license. Today, that number has increased five-fold to 25% of all jobs. It is time to reverse that trend.

I appreciate that this legislation forgoes mandatory licensing, and instead implements a voluntary certification. This legislation recognizes the valuable service that our health workers provide across the state, without introducing overly burdensome licensing requirements.

Sincerely,

A handwritten signature in black ink that reads "Douglas A. Ducey".

Douglas A. Ducey  
Governor  
State of Arizona

cc: The Honorable JD Mesnard  
The Honorable Heather Carter  
The Honorable Steve Yarbrough

Senate Engrossed House Bill

**FILED**

**MICHELE REAGAN**

**SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Fifty-third Legislature  
Second Regular Session  
2018

CHAPTER 300  
**HOUSE BILL 2324**

AN ACT

AMENDING TITLE 36, CHAPTER 6, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 7.1; RELATING TO PUBLIC HEALTH.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 36, chapter 6, Arizona Revised Statutes, is  
3 amended by adding article 7.1, to read:

4 ARTICLE 7.1. COMMUNITY HEALTH WORKERS

5 36-765. Definitions

6 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 1. "CERTIFIED COMMUNITY HEALTH WORKER" MEANS A COMMUNITY HEALTH  
8 WORKER TO WHOM THE DEPARTMENT HAS ISSUED A CERTIFICATE TO PRACTICE AS A  
9 CERTIFIED COMMUNITY HEALTH WORKER IN THIS STATE.

10 2. "COMMUNITY HEALTH WORKER" MEANS A NONMEDICAL HEALTH WORKER WHO  
11 SERVES AS A LIAISON FOR HEALTH AND COMMUNITY SERVICE PROVIDERS AND  
12 ENROLLEES TO FACILITATE ACCESS TO SERVICES AND IMPROVE THE QUALITY OF  
13 SERVICE DELIVERY, INCLUDING THE COORDINATION OF SERVICES TO IMPROVE  
14 MEDICAL AND BEHAVIORAL HEALTH OUTCOMES.

15 3. "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH SERVICES.

16 4. "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT.

17 5. "PRACTICE AS A CERTIFIED COMMUNITY HEALTH WORKER" MEANS A  
18 COMMUNITY HEALTH WORKER'S APPLICATION OF THE EDUCATION, TRAINING AND  
19 EXPERIENCE IN THE CORE COMPETENCIES TO EFFECTIVELY PROVIDE SERVICES TO THE  
20 COMMUNITIES AND POPULATIONS THAT THE COMMUNITY HEALTH WORKER SERVES  
21 THROUGH ONE OR MORE OF THE COMMUNITY HEALTH WORKER'S ROLES.

22 36-765.01. Application for certificate; certification;  
23 renewal

24 A. A PERSON MAY APPLY TO THE DIRECTOR FOR A CERTIFICATE TO PRACTICE  
25 AS A CERTIFIED COMMUNITY HEALTH WORKER ON A FORM PRESCRIBED BY THE  
26 DIRECTOR AND SHALL FURNISH INFORMATION REQUIRED BY THE DIRECTOR.

27 B. THE DIRECTOR SHALL GRANT A COMMUNITY HEALTH WORKER CERTIFICATE  
28 TO A PERSON WHO MEETS THE QUALIFICATIONS PRESCRIBED BY THIS ARTICLE AND  
29 RULES ADOPTED PURSUANT TO THIS ARTICLE AND WHO PAYS THE APPLICABLE FEES.

30 C. A CERTIFICATE IS VALID FOR TWO YEARS AND MAY BE RENEWED ONCE  
31 EVERY TWO YEARS BY APPLYING TO THE DIRECTOR AND PAYING THE APPLICABLE  
32 FEES.

33 D. A PERSON SHALL FILE AN APPLICATION FOR RENEWAL AT LEAST THIRTY  
34 DAYS AND NOT MORE THAN SIXTY DAYS BEFORE THE EXPIRATION DATE OF THE  
35 CURRENT CERTIFICATE.

36 36-765.02. Powers and duties of director; rules

37 A. THE DIRECTOR, BY RULE, SHALL:

38 1. PRESCRIBE THE SCOPE OF PRACTICE AND THE CORE COMPETENCIES OF  
39 CERTIFIED COMMUNITY HEALTH WORKERS, INCLUDING SKILLS AND AREAS OF  
40 KNOWLEDGE THAT ARE ESSENTIAL TO BRING ABOUT EXPANDED HEALTH AND WELLNESS  
41 IN DIVERSE COMMUNITIES AND TO REDUCE HEALTH DISPARITIES.

42 2. DESCRIBE AND DEFINE REASONABLE AND NECESSARY MINIMUM  
43 QUALIFICATIONS, INCLUDING EDUCATION AND TRAINING REQUIREMENTS, FOR  
44 CERTIFIED COMMUNITY HEALTH WORKERS.

1           3. ESTABLISH STANDARDS AND REQUIREMENTS FOR THE ESTABLISHMENT OF  
2 CERTIFIED COMMUNITY HEALTH WORKER EDUCATION AND TRAINING PROGRAMS IN THIS  
3 STATE.

4           4. ADOPT STANDARDS AND REQUIREMENTS FOR THE APPROVAL OR ACCEPTANCE  
5 OF CONTINUING EDUCATION COURSES AND PROGRAMS FOR THE RENEWAL OF A  
6 CERTIFICATE.

7           5. ESTABLISH MINIMUM EDUCATION, TRAINING, EXPERIENCE AND OTHER  
8 QUALIFICATIONS THAT A CERTIFIED COMMUNITY HEALTH WORKER MUST POSSESS TO  
9 QUALIFY AS A TRAINER IN ANY EDUCATION, TRAINING OR CONTINUING EDUCATION  
10 PROGRAM FOR CERTIFIED COMMUNITY HEALTH WORKERS.

11           6. ESTABLISH THE CRITERIA FOR GRANTING, DENYING, SUSPENDING AND  
12 REVOKING A CERTIFICATE IN ORDER TO PROTECT THE HEALTH AND SAFETY OF THE  
13 PUBLIC.

14           B. THE DIRECTOR MAY ADOPT RULES:

15           1. THAT ARE NECESSARY FOR THE PROPER ADMINISTRATION AND ENFORCEMENT  
16 OF THIS ARTICLE.

17           2. THAT ALLOW FOR RECIPROCITY AGREEMENTS, INCLUDING WITH THE INDIAN  
18 HEALTH SERVICE.

19           C. THE DIRECTOR SHALL WAIVE THE MINIMUM TRAINING AND EDUCATION  
20 REQUIREMENTS FOR CERTIFICATION FOR APPLICANTS WHO PROVIDE DOCUMENTATION OF  
21 AT LEAST NINE HUNDRED SIXTY HOURS OF PAID OR VOLUNTEER EXPERIENCE  
22 PROVIDING COMMUNITY HEALTH WORKER SERVICES IN THE CORE COMPETENCIES DURING  
23 THE PREVIOUS THREE YEARS IN A LICENSED HEALTH CARE FACILITY OR IN THE  
24 SERVICE OF A LICENSED HEALTH CARE PROVIDER OR A CONTRACTOR UNDER CHAPTER  
25 29, ARTICLE 1 OF THIS TITLE.

26           36-765.03. Denial, suspension or revocation of certificate;  
27 disciplinary action; appeal

28           A. THE DIRECTOR MAY DENY, SUSPEND OR REVOKE THE CERTIFICATE OF ANY  
29 COMMUNITY HEALTH WORKER WHO:

30           1. VIOLATES ANY PROVISION OF THIS ARTICLE OR RULE ADOPTED PURSUANT  
31 TO THIS ARTICLE.

32           2. HAS BEEN CONVICTED OF A FELONY OR A MISDEMEANOR INVOLVING MORAL  
33 TURPITUDE.

34           3. INDULGES IN CONDUCT OR A PRACTICE DETRIMENTAL TO THE HEALTH OR  
35 SAFETY OF THE PUBLIC.

36           B. THE DEPARTMENT MAY DENY, SUSPEND OR REVOKE A CERTIFICATE WITHOUT  
37 HOLDING A HEARING. AFTER RECEIVING NOTIFICATION OF THE DENIAL, SUSPENSION  
38 OR REVOCATION, THE APPLICANT MAY REQUEST A HEARING TO REVIEW THE DENIAL,  
39 SUSPENSION OR REVOCATION. IF REQUESTED, THE DEPARTMENT SHALL CONDUCT A  
40 HEARING TO DENY, SUSPEND OR REVOKE A CERTIFICATE PURSUANT TO TITLE 41,  
41 CHAPTER 6, ARTICLE 10.

42           C. IF THE DIRECTOR DETERMINES PURSUANT TO A HEARING THAT GROUNDS  
43 EXIST TO DENY, SUSPEND OR REVOKE A CERTIFICATE, THE DIRECTOR MAY DO SO  
44 PERMANENTLY OR FOR A FIXED PERIOD OF TIME AND MAY IMPOSE CONDITIONS AS  
45 PRESCRIBED BY RULE.

1 D. A CERTIFIED COMMUNITY HEALTH WORKER EMPLOYED BY A TRIBE WHO  
2 VIOLATES THIS SECTION SHALL BE UNDER TRIBAL GOVERNMENT JURISDICTION. IF  
3 THE WORKER IS DETERMINED TO HAVE VIOLATED THIS SECTION, THE INFORMATION  
4 PROVIDED TO THE DIRECTOR MAY RESULT IN THE DENIAL, SUSPENSION OR  
5 REVOCATION OF THE WORKER'S CERTIFICATION. INTERNAL HEARINGS, APPEALS OR  
6 PENALTIES RESULTING FROM DISCIPLINARY ACTIONS BY A TRIBAL GOVERNMENT ARE  
7 DEEMED AS THE FINAL DECISION IN ACCORDANCE WITH THIS SECTION.

8 36-765.04. Investigations; evidence

9 THE DIRECTOR MAY INVESTIGATE INFORMATION THAT INDICATES A PERSON MAY  
10 BE VIOLATING THIS ARTICLE. IN CONNECTION WITH AN INVESTIGATION, THE  
11 DIRECTOR MAY EXAMINE AND COPY DOCUMENTS AND OTHER PHYSICAL EVIDENCE  
12 WHEREVER LOCATED THAT RELATE TO THE CONDUCT OR COMPETENCY OF A COMMUNITY  
13 HEALTH WORKER PURSUANT TO THE REQUIREMENTS OF THIS ARTICLE.

14 36-765.05. Fees; use

15 THE DIRECTOR, BY RULE, SHALL ESTABLISH AND COLLECT NONREFUNDABLE  
16 FEES FOR CERTIFICATION THAT ARE CONSISTENT WITH FEES THAT ARE PRESCRIBED  
17 PURSUANT TO SECTION 36-1908. THE DEPARTMENT SHALL DEPOSIT THE FEES IN A  
18 SEGREGATED ACCOUNT IN THE HEALTH SERVICES LICENSING FUND ESTABLISHED BY  
19 SECTION 36-414.

20 36-765.06. Certification not required

21 THIS ARTICLE DOES NOT REQUIRE COMMUNITY HEALTH WORKERS TO BE  
22 CERTIFIED BY THE DEPARTMENT IN ORDER TO PRACTICE AS A COMMUNITY HEALTH  
23 WORKER.

24 36-765.07. Public contracts; no preference

25 THIS STATE AND POLITICAL SUBDIVISIONS OF THIS STATE MAY NOT PROVIDE  
26 A PREFERENCE IN AWARDING A PUBLIC CONTRACT FOR SERVICES PROVIDED BY A  
27 CERTIFIED COMMUNITY HEALTH WORKER OR AN ENTITY THAT EMPLOYS CERTIFIED  
28 COMMUNITY HEALTH WORKERS.

29 Sec. 2. Community health workers advisory council; delayed  
30 repeal

31 A. The community health workers advisory council is established  
32 consisting of nine members, the majority of whom are community health  
33 workers, who are residents of this state, who represent the geographic  
34 region of this state where they reside and who are appointed by the  
35 director of the department of health services. The council shall make  
36 recommendations to the department regarding:

- 37 1. Core competencies for the certification of community health  
38 workers.
- 39 2. Minimum education and training qualifications for certified  
40 community health workers.
- 41 3. Standards and requirements for community health worker education  
42 and training programs.
- 43 4. Standards and requirements for continuing education courses and  
44 programs.

- 1           5. Minimum education and training standards for educators.
- 2           6. The type of certification examination or other means to assess
- 3 community health worker competency for certification.
- 4           7. Standards for unprofessional conduct.
- 5           8. Any other matter as requested by the director.
- 6           B. This section is repealed from and after December 31, 2022.

**APPROVED BY THE GOVERNOR MAY 16, 2018**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 16, 2018**

Passed the House February 21, 20 18

Passed the Senate April 18, 20 18

by the following vote: 56 Ayes,

by the following vote: 24 Ayes,

1 Nays, 3 Not Voting

6 Nays, 0 Not Voting

[Signature]  
Speaker of the House  
 Pro Tempore

[Signature]  
President of the Senate

[Signature]  
Chief Clerk of the House

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary to the Governor

Approved this \_\_\_\_\_ day of

\_\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

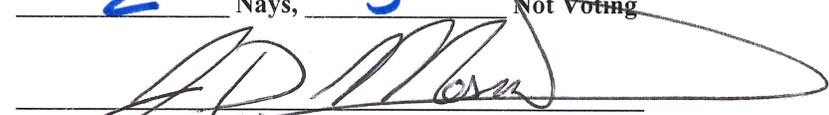
H.B. 2324

HOUSE CONCURS IN SENATE  
AMENDMENTS AND FINAL PASSAGE

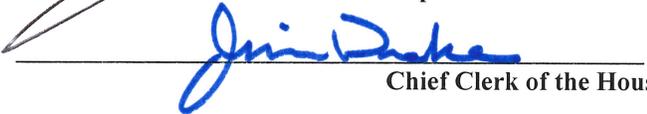
April 30, 20 18,

by the following vote: 55 Ayes,

2 Nays, 3 Not Voting



Speaker of the House

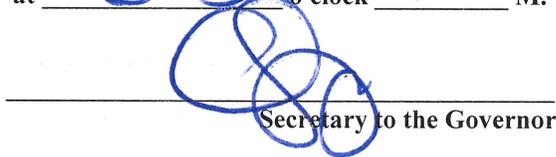
  
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

18 day of May, 20 18,

at 8:13 o'clock A M.

  
Secretary to the Governor

Approved this 16<sup>th</sup> day of

May, 20 18,

at 9:09 o'clock A M.

  
Governor of Arizona

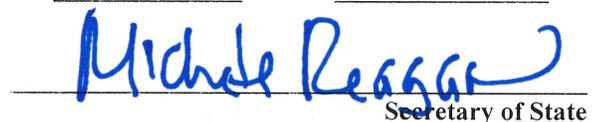
H.B. 2324

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 16 day of May, 20 18,

at 4:28 o'clock P. M.

  
Secretary of State