

RESOLUTION OF THE

NAABIK'ÍYÁTI' STANDING COMMITTEE OF THE  
23<sup>rd</sup> NAVAJO NATION COUNCIL -- Fourth Year, 2018

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND  
NAABIK'ÍYÁTI' COMMITTEES; SUPPORTING H.B. 2324, "AN ACT AMENDING  
TITLE 36, CHAPTER 6, ARIZONA REVISED STATUTES, BY ADDING ARTICLE  
7.1: RELATING TO PUBLIC HEALTH"

WHEREAS:

- A. The legislature of the State of Arizona has introduced H.B. 2324, "AN ACT AMENDING TITLE 36, CHAPTER 6, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 7.1: RELATING TO PUBLIC HEALTH" See attached **Exhibit A**. This bill provides for the certification process for community health workers and defines their roles in community healthcare in Arizona.
- B. Under H.B. 2324, a community health worker is defined as "a frontline public health worker who is a trusted member of the community, who serves the community or has an in-depth understanding of the community the worker serves, who serves as a liaison between health service providers or social service providers and community members to facilitate access to services and improve the quality and cultural competence of service delivery and who builds individual and community capacity by increasing health knowledge and self-sufficiency through a range of activities, such as outreach, community education, informal counseling, social support and advocacy." *Id.* Duties of certified community health workers would include cultural mediation, case management, social support and conducting outreach. *Id.* The new law provides for a voluntary certification process for such workers. Oversight for this process will be the Arizona Department of Health Services.
- C. The Navajo Nation has approximately 300,000 members. The territory consists of 27,000 square miles. Unemployment rates are high, and there is poverty. In midst of this, there are serious health issues facing members of the Navajo Nation including diabetes, cardiovascular disease, and drugs and alcohol abuse. See e.g, [www.sonorannewsservice.com/breaking-code-Navajo-Nation](http://www.sonorannewsservice.com/breaking-code-Navajo-Nation). There is a continuing need for medical care and health

advocacy within the Navajo Nation, including the remote areas. It is crucial that community health workers assist in advocating and coordinating healthcare throughout the state and the Navajo Nation.

**NOW, THEREFORE, BE IT RESOLVED:**

The Navajo Nation supports Arizona state H.B. 2324, "n Act Amending Title 36, Chapter 6, Arizona Revised Statutes, By Adding Article 7.1: Relating To Public Health." Copy of bill is attached hereto as **Exhibit "A"**.

**CERTIFICATION**

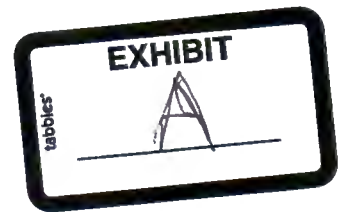
I, hereby, certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 23<sup>rd</sup> Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 11 in Favor, and 00 Opposed, on this 09<sup>th</sup> day of August 2018.

  
Seth Damon, Chairman Pro Tem  
Naabik'iyáti' Committee

Motioned: Honorable Steven Begay  
Second : Honorable Norman M. Begay

Chairman Pro Tem Seth Damon not voting

*Pursuant to § 700 (D), A quorum of the committee shall be satisfied by the presence of two (2) members of each Standing Committee or a majority of delegates of the Navajo Nation Council.*



REFERENCE TITLE: community health workers; voluntary certification

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

# HB 2324

Introduced by  
Representative Carter

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 C. PATIENT RECORDS, INCLUDING CLINICAL RECORDS, MEDICAL REPORTS,  
2 LABORATORY STATEMENTS AND REPORTS, FILES, FILMS AND ORAL STATEMENTS  
3 RELATING TO PATIENT EXAMINATIONS, FINDINGS AND TREATMENT THAT ARE KEPT BY  
4 THE DIRECTOR PURSUANT TO AN INVESTIGATION ARE NOT AVAILABLE TO THE PUBLIC.  
5 THE DIRECTOR SHALL KEEP CONFIDENTIAL THE NAMES OF PATIENTS WHOSE RECORDS  
6 ARE REVIEWED DURING THE COURSE OF AN INVESTIGATION OR HEARING.

7 36-765.06. Violations; classification

8 A PERSON IS GUILTY OF A CLASS 6 FELONY WHO:

9 1. OBTAINS A CERTIFICATE AS A CERTIFIED COMMUNITY HEALTH WORKER BY  
10 FRAUD, INTENTIONAL MISREPRESENTATION OR DECEIT.

11 2. CLAIMS TO BE A CERTIFIED COMMUNITY HEALTH WORKER WITHOUT HAVING  
12 A PROPER CERTIFICATE OR AFTER HAVING A CERTIFICATE DENIED, SUSPENDED OR  
13 REVOKED.

14 36-765.07. Fees; donations; use

15 A. THE DIRECTOR, BY RULE, SHALL ESTABLISH AND COLLECT NONREFUNDABLE  
16 FEES FOR CERTIFICATION.

17 B. THE DIRECTOR MAY ACCEPT GIFTS, GRANTS OR DONATIONS, WHICH MAY BE  
18 USED ONLY TO COVER THE COSTS RELATED TO THE REGULATION OF CERTIFIED  
19 COMMUNITY HEALTH WORKERS.

20 36-765.08. Use of title; prohibition

21 A. IT IS A VIOLATION OF THIS ARTICLE FOR A PERSON WHO IS NOT  
22 CERTIFIED PURSUANT TO THIS ARTICLE TO USE THE TITLE "CERTIFIED COMMUNITY  
23 HEALTH WORKER" OR TO USE ANY OTHER WORDS, LETTERS, SIGNS OR FIGURES TO  
24 INDICATE THAT THE PERSON IS A CERTIFIED COMMUNITY HEALTH WORKER.

25 B. THIS ARTICLE DOES NOT REQUIRE COMMUNITY HEALTH WORKERS TO BE  
26 CERTIFIED BY THE DEPARTMENT IN ORDER TO PRACTICE AS A COMMUNITY HEALTH  
27 WORKER.

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

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

36 1. Core competencies for the certification of community health  
37 workers.

38 2. Minimum education and training qualifications for certified  
39 community health workers.

40 3. Standards and requirements for community health worker education  
41 and training programs.

42 4. Standards and requirements for continuing education courses and  
43 programs.

PROPOSED  
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2324  
(Reference to printed bill)

1 Page 1, line 32, after "CULTURALLY" insert "AND LINGUISTICALLY"  
2 Line 39, after "SERVICES" insert "INCLUDING HOME BASED SERVICES"

3 Page 3, between lines 32 and 33, insert:

4 "F. A CERTIFIED COMMUNITY HEALTH REPRESENTATIVE EMPLOYED BY A TRIBE  
5 THAT VIOLATES THIS SECTION SHALL BE UNDER TRIBAL GOVERNMENT JURISDICTION.  
6 IF A PERSON IS DETERMINED TO HAVE VIOLATED THIS SECTION, THE INFORMATION  
7 PROVIDED TO THE DIRECTOR MAY RESULT IN THE DENIAL, SUSPENSION OR REVOCATION  
8 OF CERTIFICATION. INTERNAL HEARINGS, APPEALS OR PENALTIES RESULTING FROM  
9 DISCIPLINARY ACTIONS BY A TRIBAL GOVERNMENT SHALL BE DEEMED AS THE FINAL  
10 DECISION IN ACCORDANCE WITH THIS SECTION."

11 Amend title to conform

HEATHER CARTER

2324CARTER  
01/24/2018  
08:30 AM  
H: RH/teg



# ARIZONA HOUSE OF REPRESENTATIVES

## **HB 2324: community health workers; voluntary certification**

**PRIME SPONSOR:** Representative Carter, LD 15

**BILL STATUS:** [Health](#)

**Legend:**

ADHS – Arizona Department of Health Services  
CHW – Community Health Worker  
COR – Committee of Reference  
Director – Director of ADHS  
Amendments – **BOLD** and **Stricken** (Committee)

**Abstract**

Relating to certification and community health workers.

**Provisions**

***Scope of Practice***

1. Outlines the scope of practice for a CHW as providing:
  - a. Cultural mediation among specified groups;
  - b. Appropriate health information and education;
  - c. Care coordination, case management and system navigation;
  - d. Coaching and social support;
  - e. Advocacy for communities and individuals;
  - f. Building community and individual capacity;
  - g. Appropriate direct services;
  - h. Implementation of environmental analyses and community needs assessments;
  - i. Outreach; and
  - j. Evaluation and research. (Sec. 1)

***Certification***

2. Allows a CHW to be voluntarily certified by ADHS if statutory requirements are met. (Sec. 1)
3. Requires the Director to certificate a CHW if all qualifications are met. (Sec. 1)
4. States that a certificate is valid for two years and may be renewed every two years if the CHW applies to ADHS and pays a fee.
  - a. Renewal applications must be filed at least 30 days, but no more than 60 days, prior to the expiration of a current license. (Sec. 1)
5. Requires the Director to adopt rules which:
  - a. Prescribe core competencies;
  - b. Outline minimum qualifications;
  - c. Provide standards and requirements for the approval of continuing education and programs for certificate renewal.
  - d. Establish qualifications for a CHW trainer; and
  - e. Provide criteria for certificate denial, suspension or revocation. (Sec. 1)
6. Permits the Director to adopt rules regarding:
  - a. Administration and enforcement; and
  - b. Reciprocity agreements. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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24. Requires the Advisory Council to make recommendations about:
- a. Core competencies;
  - b. Education and training qualifications;
  - c. Education and training program standards and requirements;
  - d. Criteria for continuing education;
  - e. Standards for educators;
  - f. Metrics to measure CHW competency for certification; and
  - g. Any of the Director's requests. (Sec. 2)

25. Repeals the Advisory Council on January 1, 2023. (Sec. 2)

26. Defines terms. (Sec. 1)

**Additional Information**

The Arizona Community Health Workers Association submitted a [sunrise application](#) for consideration by the Senate Health and Human Services and House Health COR. The COR met on November 27, 2017 and approved the application.



**NAVAJO NATION**

RCS# 1218

2018 Summer Session

8/9/2018  
03:33:45 PM

<b>Amd# to Amd#</b>	<b>Legislation 0175-18: Supporting</b>	<b>PASSED</b>
MOT Begay, S	H.B. 2324, "An Act Amending	
SEC Begay, NM	Title 36, Chapter 6, Arizona	
	Revised Statutes, by Adding...	

**Yea : 11                  Nay : 0                  Excused : 4                  Not Voting : 9**

**Yea : 11**

Begay, K	BeGaye, N	Perry	Tsosie
Begay, NM	Brown	Pete	Witherspoon
Begay, S	Jack	Tso	

**Nay : 0**

**Excused : 4**

Daniels	Filfred	Smith	Yazzie
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**Not Voting : 9**

Bates	Crotty	Hale	Shepherd
Bennett	Damon	Phelps	Slim
Chee			