

JAN 21 2022

A BILL FOR AN ACT

RELATING TO COMMUNITY HEALTH WORKERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that for more than twenty
2 years, community health workers have improved the quality of
3 life for residents in the State by providing a critical service
4 to connect disadvantaged populations with culturally appropriate
5 health care resources. With over two thousand community health
6 workers actively engaging with local communities through
7 community-based organizations, local health care facilities,
8 clinics, or hospitals, there is an imminent need to recognize
9 the work and contributions of community health workers in the
10 State of Hawaii.

11 The legislature further finds that a certification program
12 administered by the department of commerce and consumer affairs
13 is needed to sustain community health workers as a professional
14 health care career path in Hawai'i. In rural, isolated
15 communities throughout the State, community health workers are
16 invaluable, as residents rely on community health workers to
17 drive long distances through difficult terrain to provide health



1 care resources. The legislature further finds that by
2 establishing a certification program for community health
3 workers, the State will improve the quality of care and access
4 to health care, create a stronger and larger health care
5 workforce, and build an effective health care system for all
6 residents in the State.

7 Therefore, the purpose of this Act is to establish the
8 community health worker certification program within the
9 department of commerce and consumer affairs.

10 SECTION 2. The Hawaii Revised Statutes is amended by
11 adding a new chapter to be appropriately designated and to read
12 as follows:

13 "CHAPTER

14 COMMUNITY HEALTH WORKERS

15 § -1 Definitions. As used in this chapter:

16 "Community health worker" means a person certified under
17 this chapter and who:

18 (1) Has expertise or experience in public health;

19 (2) Works in an urban or rural community, either for pay
20 or as a volunteer, in association with a local health
21 care system, clinic, facility, or hospital;



(3) To the extent practicable, provides cultural mediation among individuals, communities, and health and social service programs;

(4) Provides culturally appropriate health education and information;

(5) Advocates for individuals and communities;

(6) Assists members of the community to improve their health and increases the capacity of the community to meet the health care needs of its residents and achieve wellness;

(7) Provides care coordination, case management, and system navigation assistance;

(8) Implements individual and community assessments;

(9) Conducts outreach and participates in evaluations and research;

(10) May give coaching, social support, peer counseling, and guidance on health behaviors; and

(11) May provide direct services such as first aid or blood pressure screening.

"Department" means the department of commerce and consumer affairs.



1 "Director" means the director of commerce and consumer
2 affairs.

3 "Practice of community health work" means those services as
4 provided in the definition of "community health worker" and any
5 other services as determined by the director.

6 "Traditional health worker" means a:

- 7 (1) Community health worker;
8 (2) Personal health navigator;
9 (3) Certified peer specialist; or
10 (4) Doula.

11 § -2 Community health worker certification program.

12 There is established a community health worker certification
13 program within the department to be administered by the
14 director.

15 § -3 Certification; application; renewal. (a) To be

16 certified as a community health worker, an applicant shall
17 provide satisfactory evidence to the director that the applicant
18 has:

- 19 (1) Successfully completed a community health worker
20 program at the University of Hawaii or the community
21 college system; or



(2) Worked or volunteered as a supervised traditional health worker for at least three thousand hours in the State from January 1, 2005, to June 30, 2020;

(b) Beginning July 1, 2023, no person shall practice as a community health worker or use the title "certified community health worker" or "community health worker" without a valid certification issued pursuant to this chapter.

§ -4 Association with community-based organization, local health care system, facility, clinic, or hospital required. No person shall practice community health work under this chapter except under the direct order of, or in association with, a community-based organization, local health care system, facility, clinic, or hospital.

§ -5 Powers and duties of the director. In addition to any other powers and duties authorized by law, the director shall have the powers and duties to:

(1) Grant, deny, renew, refuse to renew, restore, terminate, reinstate, condition, restrict, suspend, or revoke a certification issued pursuant to this chapter;



(2) Grant permission to a person to practice community health work and to use the title "certified community health worker" or "community health worker", or a description indicating that the person is a certified community health worker in this State; and

(3) Adopt, amend, or repeal rules pursuant to chapter 91 as the director finds necessary to carry out the purposes of this chapter.

§ -6 **Exemptions.** This chapter is not intended to restrict the practice of other certified or credentialed health care practitioners practicing within their own recognized scopes of practice and shall not apply to:

(1) A person working within the scope of practice or duties of another certified or licensed profession that overlaps with the practice of community health work; provided that the person does not purport to be a community health worker;

(2) A person enrolled as a student in an accredited community health worker program where the performance of duties that are regulated by this chapter is an integral part of the student's program of study;



(3) A person rendering services in the case of an emergency or in the domestic administration of family remedies; or

(4) A person employed by a federal, state, or county government agency in a community health worker position, but only in the course of carrying out the duties and responsibilities of government employment.

§ -7 **Certification by endorsement.** The director may issue a certification by endorsement to an applicant who holds a current and unencumbered certification as a community health worker in another state; provided that the requirements for a certification in that state are deemed by the director to be equivalent to or higher than the current requirements for certification in this State."

SECTION 3. Section 26H-4, Hawaii Revised Statutes, is amended to read as follows:

"§26H-4 **Repeal dates for newly enacted professional and vocational regulatory programs.** (a) Any professional or vocational regulatory program enacted after January 1, 1994, and listed in this section shall be repealed as specified in this



1 section. The auditor shall perform an evaluation of the
2 program, pursuant to section 26H-5, prior to its repeal date.

3 (b) Chapter 466L (appraisal management companies) shall be
4 repealed on June 30, 2023.

5 (c) Chapter 457J (midwives) shall be repealed on June 30,
6 2025.

7 (d) Chapter (community health workers) shall be
8 repealed on June 30, 2029."

9 SECTION 4. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$ or so
11 much thereof as may be necessary for fiscal year 2022-2023 to be
12 deposited into the compliance resolution fund.

13 SECTION 5. There is appropriated out of the compliance
14 resolution fund the sum of \$ or so much thereof as may
15 be necessary for fiscal year 2022-2023 to implement the
16 certification of community health workers as required by this
17 Act.

18 The sum appropriated shall be expended by the department of
19 commerce and consumer affairs for the purposes of this Act.

20 SECTION 6. New statutory material is underscored.



1 SECTION 7. This Act shall take effect on July 1, 2022.

2

INTRODUCED BY:



S.B. NO. 2882

Report Title:

Community Health Workers; Certification; Department of Commerce and Consumer Affairs; Professional and Vocational Regulatory Programs; Rules; Appropriation

Description:

Establishes the community health worker certification program within the Department of Commerce and Consumer Affairs.

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