

The House Committee on Health offers the following substitute to SB 39:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to
2 provide for the certification of community health workers; to provide for definitions; to
3 provide for the establishment of the Georgia Community Health Worker Certification
4 Committee; to provide for membership, powers, and duties of the committee; to provide for
5 committee abolishment and transfer of powers and duties to the Department of Public Health;
6 to provide for administrative support; to provide for rules and regulations; to provide for
7 standards; to provide for the approval of training programs; to provide for application
8 procedures; to provide for requirements; to provide for related matters; to provide for an
9 effective date conditioned on appropriations; to repeal conflicting laws; and for other
10 purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by revising
14 Chapter 31, which is reserved, as follows:

S. B. 39 (SUB)

"CHAPTER 31

31-31-1.

As used in this chapter, the term:

(1) 'Certified community health worker' means an individual to whom the committee has issued a certificate to serve as a certified community health worker based on standards and requirements approved by the department.

(2) 'Commissioner' means the commissioner of public health.

(3) 'Committee' means the Georgia Community Health Worker Certification Committee established by Code Section 31-31-2.

(4) 'Community health worker' means a frontline public health worker who is a trusted member of a community or has a demonstrated knowledge of a community and individuals served and:

(A) Provides culturally appropriate health education, information, and outreach in community based settings such as homes, schools, clinics, shelters, local businesses, and community centers;

(B) Bridges or culturally mediates between individuals, communities, and health and human services, including actively building individual and community capacity;

(C) Assures that community members access the services they need;

(D) Provides direct services, such as informal counseling, social support, care coordination, and health screenings;

(E) Advocates for individual and community needs with an emphasis on healthcare needs; and

(F) Provides any additional services that may emerge in the development of community health worker practice.

(5) 'Core competencies' means the knowledge and skills a certified community health worker is expected to demonstrate in order to carry out the mission and goals of the

41 profession. Such term includes, but is not limited to, communication skills; interpersonal
42 and relationship-building skills; service coordination and navigation skills;
43 capacity-building skills; patient advocacy skills; education and facilitation skills;
44 individual and community assessment skills; community outreach and engagement skills;
45 evaluation and research skills; and knowledge base.

46 (6) 'Department' means the Department of Public Health.

47 (7) 'Training program' means an education and training program that meets the
48 curriculum and training required for a community health worker to be eligible for
49 certification and that has been approved by the department based on standards and
50 requirements recommended by the committee. Reserved.

51 31-31-2.

52 (a) There is established the Georgia Community Health Worker Certification Committee.
53 The commissioner shall appoint the 11 voting members of the committee as follows:

54 (1) One licensed physician with a specialization in primary care or family medicine;

55 (2) One licensed physician with a specialization in maternal and child health;

56 (3) One licensed physician with a specialization in geriatrics;

57 (4) One licensed social worker;

58 (5) Three representatives of community health worker employers, one of whom shall
59 represent hospitals, one of whom shall represent a federally qualified health center, and
60 one of whom shall represent a community based organization;

61 (6) One person with experience and training in public health policy, with special
62 consideration given to an active member of the Georgia Community Health Worker
63 Advocacy Coalition;

64 (7) Two practicing community health workers, provided that such persons are eligible
65 for certification as community health workers in this state and shall obtain such
66 certification within a time frame specified in bylaws adopted by the committee; and

67 (8) One active member of the Georgia Community Health Worker Advisory Board.

68 (b) The commissioner shall appoint two department representatives to serve as nonvoting
69 members of the committee.

70 (c) Any voting member of the committee shall serve a two-year term, and no such member
71 shall serve on the committee for more than two consecutive full terms. A member
72 appointed for less than a full term may serve two consecutive full terms, and a former
73 member shall be eligible again for appointment after a lapse of one or more years.

74 (d) If there is a vacancy on the committee, such position shall be filled in the same manner
75 as the original appointment. Members of the committee may be removed from office by
76 the commissioner under the same conditions for removal from office of members of
77 professional licensing boards provided in Code Section 43-1-17.

78 (e) Members shall serve without compensation, but they may be reimbursed by the
79 department, subject to fund availability, in the same manner as state officials and
80 employees for travel and other expenses actually incurred by them in carrying out their
81 duties as members of the committee.

82 (f) The committee shall be abolished June 30, 2030, and the powers and duties of the
83 committee shall transfer to the department upon such abolishment.

84 31-31-3.

85 (a) The committee shall meet at least quarterly and may meet at such other times at the call
86 of the chairperson or by a majority of the members as necessary to transact its business.
87 Such meetings may be conducted in person, by telephone, by virtual means, or any
88 combination thereof.

89 (b) The committee shall elect a chairperson, vice chairperson, and secretary from among
90 its membership. Such officers shall serve for terms of two years.

91 (c) A majority of the members of the committee shall constitute a quorum and shall have
92 the authority to act upon any matter properly brought before the committee. The

93 committee shall follow all policies and procedures of Chapter 14 of Title 50, relating to
94 open and public meetings.

95 (d) The committee shall have the following powers and duties:

96 (1) To make recommendations to the department on the standards and requirements for
97 approval of training programs and a means for programs providing education and training
98 to community health workers prior to July 1, 2027, to become approved training
99 programs;

100 (2) To make recommendations to the department on the standards and requirements for
101 the certification of community health workers and a means for individuals employed or
102 engaged as community health workers prior to July 1, 2027, to become certified
103 community health workers;

104 (3) To make recommendations to the department on the standards and a means to assess
105 the mastery of core competencies necessary for an individual to become a certified
106 community health worker;

107 (4) To provide for an expedited means for a community health worker duly certified in
108 another jurisdiction to become a certified community health worker in this state;

109 (5) To make recommendations to the department on the establishment of tiered levels of
110 practice for certified community health workers and requirements for each established
111 level, including a level that qualifies a certified community health worker to act as an
112 educator or trainer in an approved training program;

113 (6) To establish a process for the receipt, review, approval, and denial of applications for
114 certification;

115 (7) To establish a process for the receipt and review of complaints related to the practice
116 of certified community health workers;

117 (8) To establish disciplinary procedures and actions, including revocation or denial of
118 a certificate issued, or a combination of the foregoing; and

119 (9) To perform such other functions and duties in order to protect public health, safety,
120 and welfare as may be required to carry out this chapter.

121 (e) The department shall provide reasonably necessary administrative support for
122 committee activities.

123 (f) The department shall be authorized to promulgate rules and regulations necessary to
124 implement the provisions of this article, including recommendations from the committee.

125 31-31-4.

126 (a) All training programs in this state shall satisfy the requirements established by the
127 department. No entity shall hold itself out as providing training and education for certified
128 community health workers in this state unless its training program has been approved by
129 the committee.

130 (b) The department shall post on its website the requirements and the application form for
131 a training program to become approved and for the renewal of such approvals. Such
132 requirements shall include 45 hours of core competency training, of which 16 hours shall
133 include training on specific health topics.

134 (c) An applicant for an approved training program shall submit an application to the
135 committee demonstrating satisfaction of the requirements for a training program and pay
136 a fee set by the department; provided, however, that, if an applicant provided education and
137 training to community health workers prior to July 1, 2027, such applicant shall submit an
138 application to the committee demonstrating satisfaction of requirements for such program,
139 pay a fee set by the department, and provide a list of students who successfully completed
140 such program at any time from January 1, 2016, to July 1, 2027.

141 (d) An application is not complete until the committee has received all the required
142 materials. The committee shall notify the applicant within 15 calendar days after receipt
143 of an application whether such application is complete or incomplete and identify any
144 materials that are needed to complete such application. When the applicant fails to provide

145 the required documentation within 120 calendar days of notification, the committee may
146 administratively close such application or deny the application. An applicant whose
147 application is administratively closed or denied may reapply and submit a new application
148 and a new application fee.

149 (e) The approvals of training programs under this Code section shall be valid for up to two
150 years and shall expire biennially unless renewed. Suspension and revocation of approvals
151 shall be subject to the administrative procedures contained in Chapter 13 of Title 50, the
152 'Georgia Administrative Procedure Act.'

153 31-31-5.

154 (a) The title 'certified community health worker' shall only be used by individuals who
155 have met the requirements and qualifications for certification as a community health
156 worker as established by the committee and have been duly certified by the committee. An
157 individual certified as a community health worker shall identify himself or herself as a
158 certified community health worker during any patient interactions and shall not utilize any
159 other titles that such individual is not certified or licensed to use.

160 (b) The department shall post on its website the requirements and the application form for
161 a community health worker to become certified and for the renewals of such certificates.

162 (c) An applicant for a certified community health worker shall submit an application to the
163 committee demonstrating satisfaction of the requirements for a certified community health
164 worker and pay a fee set by the department. A certified community health worker shall:

165 (1) Be 18 years of age or older;

166 (2) Possess a high school diploma or its recognized equivalent;

167 (3) Not be ineligible for certification on grounds established by the committee;

168 (4) Provide professional references, one of which shall be a current or former supervisor,
169 with direct knowledge of the applicant's work and ability in the core competencies for
170 community health workers;

171 (5)(A) Have received satisfactory results from criminal background checks. The
172 committee is authorized to conduct and receive criminal background checks, including,
173 but not limited to, by the submission of fingerprints or other identifying information to
174 the Federal Bureau of Investigation through the Georgia Crime Information Center. In
175 order to determine an applicant's suitability for certification as a community health
176 worker, the committee shall require the applicant to furnish the committee with a full
177 set of fingerprints or other identifying information as may be necessary to enable
178 criminal background checks to be conducted.

179 (B) The committee shall submit the fingerprints or other identifying information
180 furnished by an applicant to the Georgia Crime Information Center. The Georgia
181 Crime Information Center is authorized to submit such fingerprints or information to
182 the Federal Bureau of Investigation for a national criminal background check. The
183 Georgia Crime Information Center shall notify the committee in writing of its findings,
184 including, but not limited to, the inability to identify a criminal record. Any findings
185 received by the committee shall be used for the exclusive purpose of carrying out its
186 responsibilities under this Code section, shall not be public records, shall be
187 confidential, and shall not be disclosed to any other person or agency, except to any
188 person or agency which otherwise has a legal right to inspect such data. Any records
189 obtained in furtherance of this Code section shall be maintained by the committee
190 pursuant to laws regarding such records and the rules and regulations of the Federal
191 Bureau of Investigation and the Georgia Crime Information Center as applicable.

192 (C) By applying for a license under this article, an applicant consents to the
193 performance of criminal background checks as provided for in this paragraph. The
194 applicant shall be responsible for any fees associated with the performance of such
195 background checks;

196 (6) Submit proof of successful completion of an approved training program and 2,000
197 hours of employment as a community health worker within ten years of the date of
198 application; and

199 (7) Satisfy any other requirements established by rules and regulations promulgated by
200 the department.

201 (d) An applicant may satisfy the requirement provided in paragraph (6) of subsection (c)
202 of this Code section if such applicant submits an application prior to July 1, 2028, and
203 proof of:

204 (1) Successful completion of an education and training program for community health
205 workers completed between July 1, 2016, and July 1, 2027, and 2,000 hours of
206 employment as a community health worker within ten years of the date of application as
207 established by the committee; or

208 (2) At least 4,000 hours of employment as a community health worker within ten years
209 of the date of application and an attestation from an employer that such applicant
210 performed duties that included core competencies and is competent to perform activities
211 as a certified community health worker as established by the committee.

212 (e) An application for a certified community health worker is not complete until the
213 committee has received all the required materials. The committee shall notify the applicant
214 within 15 calendar days after receipt of an application whether such application is complete
215 or incomplete and identify any materials that are needed to complete such application.
216 When the applicant fails to provide the required documentation within 120 calendar days
217 of notification, the committee may administratively close such application or deny the
218 application. An applicant whose application is administratively closed or denied may
219 reapply and submit a new application and a new application fee.

220 (f) Certificates issued pursuant to this Code section shall be valid for up to two years and
221 shall expire biennially unless renewed. Suspension and revocation of certificates shall be

222 subject to the administrative procedures contained in Chapter 13 of Title 50, the 'Georgia
223 Administrative Procedure Act.'"

224 **SECTION 2.**

225 (a) This Act shall become effective only if funds are specifically appropriated for the
226 purposes of this Act in an appropriations Act enacted by the General Assembly.

227 (b) If funds are so appropriated, then this Act shall become effective on the later of:

228 (1) The date on which such appropriations Act becomes effective; or

229 (2) The beginning date of the fiscal year for which such appropriations are made.

230 **SECTION 3.**

231 All laws and parts of laws in conflict with this Act are repealed.