

The House Committee on Rules offers the following substitute to SB 411:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 31-8-9.1 of the Official Code of Georgia Annotated, relating to tax
2 credit for contributions to certain rural hospital organizations and hospital eligibility and
3 requirements, so as to revise the definition of "rural hospital organization"; to amend Title 31
4 of the Official Code of Georgia Annotated, relating to health, so as to provide for the
5 certification of community health workers; to provide for definitions; to provide for the
6 establishment of the Georgia Community Health Worker Certification Committee; to provide
7 for membership, powers, and duties of the committee; to provide for committee abolishment
8 and transfer of powers and duties to the Department of Public Health; to provide for
9 administrative support; to provide for rules and regulations; to provide for standards; to
10 provide for the approval of training programs; to provide for application procedures; to
11 provide for requirements; to provide for related matters; to provide for an effective date
12 conditioned on appropriations; to repeal conflicting laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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SECTION 1.

Code Section 31-8-9.1 of the Official Code of Georgia Annotated, relating to tax credit for contributions to certain rural hospital organizations and hospital eligibility and requirements, is amended by revising paragraph (3) of subsection (a) as follows:

"(3) 'Rural hospital organization' means an acute care hospital or rural freestanding emergency department licensed by the department pursuant to Article 1 of Chapter 7 of this title that:

- (A) Has its primary campus ~~Provides inpatient hospital services at a facility~~ located in a rural county or is a critical access hospital;
- (B) Participates in both Medicaid and ~~medicare~~ Medicare and accepts both Medicaid and ~~medicare~~ Medicare patients;
- (C) Provides health care services to indigent patients;
- (D) Is licensed by the department to provide maternal and newborn services or has ~~Has~~ at least ~~10~~ 5 percent of its annual net revenue categorized as indigent care, charity care, or bad debt;
- (E) Annually files IRS Form 990, Return of Organization Exempt From Income Tax, with the department, or for any hospital not required to file IRS Form 990, the department will provide a form that collects the same information to be submitted to the department on an annual basis;
- (F) Is operated by a county or municipal authority pursuant to Article 4 of Chapter 7 of this title or is designated as a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code; and
- (G) Is current with all audits and reports required by law; ~~and~~
- ~~(H) Has a three-year average patient margin, as a percent of expense, less than one standard deviation above the state-wide three-year average of organizations defined in subparagraphs (A) through (G) of this paragraph, as calculated by the department. As used in this subparagraph, the term 'patient margin' means gross patient revenues less~~

41 contractual adjustments, bad debt, indigent and charity care, other uncompensated care,
42 and total expenses."

43 **SECTION 2.**

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

46 "CHAPTER 31

47 31-31-1.

48 As used in this chapter, the term:

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

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

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

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

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

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

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

- 64 (D) Provides direct services, such as informal counseling, social support, care
65 coordination, and health screenings;
- 66 (E) Advocates for individual and community needs with an emphasis on healthcare
67 needs; and
- 68 (F) Provides any additional services that may emerge in the development of
69 community health worker practice.
- 70 (5) 'Core competencies' means the knowledge and skills a certified community health
71 worker is expected to demonstrate in order to carry out the mission and goals of the
72 profession. Such term includes, but is not limited to, communication skills; interpersonal
73 and relationship-building skills; service coordination and navigation skills;
74 capacity-building skills; patient advocacy skills; education and facilitation skills;
75 individual and community assessment skills; community outreach and engagement skills;
76 evaluation and research skills; and knowledge base.
- 77 (6) 'Department' means the Department of Public Health.
- 78 (7) 'Training program' means an education and training program that meets the
79 curriculum and training required for a community health worker to be eligible for
80 certification and that has been approved by the department based on standards and
81 requirements recommended by the committee. Reserved.

82 31-31-2.

- 83 (a) There is established the Georgia Community Health Worker Certification Committee.
84 The commissioner shall appoint the 11 voting members of the committee as follows:
- 85 (1) One licensed physician with a specialization in primary care or family medicine;
86 (2) One licensed physician with a specialization in maternal and child health;
87 (3) One licensed physician with a specialization in geriatrics;
88 (4) One licensed social worker;

- 89 (5) Three representatives of community health worker employers, one of whom shall
90 represent hospitals, one of whom shall represent a federally qualified health center, and
91 one of whom shall represent a community based organization;
- 92 (6) One person with experience and training in public health policy, with special
93 consideration given to an active member of the Georgia Community Health Worker
94 Advocacy Coalition;
- 95 (7) Two practicing community health workers, provided that such persons are eligible
96 for certification as community health workers in this state and shall obtain such
97 certification within a time frame specified in bylaws adopted by the committee; and
- 98 (8) One active member of the Georgia Community Health Worker Advisory Board.
- 99 (b) The commissioner shall appoint two department representatives to serve as nonvoting
100 members of the committee.
- 101 (c) Any voting member of the committee shall serve a two-year term, and no such member
102 shall serve on the committee for more than two consecutive full terms. A member
103 appointed for less than a full term may serve two consecutive full terms, and a former
104 member shall be eligible again for appointment after a lapse of one or more years.
- 105 (d) If there is a vacancy on the committee, such position shall be filled in the same manner
106 as the original appointment. Members of the committee may be removed from office by
107 the commissioner under the same conditions for removal from office of members of
108 professional licensing boards provided in Code Section 43-1-17.
- 109 (e) Members shall serve without compensation, but they may be reimbursed by the
110 department, subject to fund availability, in the same manner as state officials and
111 employees for travel and other expenses actually incurred by them in carrying out their
112 duties as members of the committee.
- 113 (f) The committee shall be abolished June 30, 2030, and the powers and duties of the
114 committee shall transfer to the department upon such abolishment.

115 31-31-3.

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

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

122 (c) A majority of the members of the committee shall constitute a quorum and shall have
123 the authority to act upon any matter properly brought before the committee. The
124 committee shall follow all policies and procedures of Chapter 14 of Title 50, relating to
125 open and public meetings.

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

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

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

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

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

140 (5) To make recommendations to the department on the establishment of tiered levels of
141 practice for certified community health workers and requirements for each established

- 142 level, including a level that qualifies a certified community health worker to act as an
143 educator or trainer in an approved training program;
144 (6) To establish a process for the receipt, review, approval, and denial of applications for
145 certification;
146 (7) To establish a process for the receipt and review of complaints related to the practice
147 of certified community health workers;
148 (8) To establish disciplinary procedures and actions, including revocation or denial of
149 a certificate issued, or a combination of the foregoing; and
150 (9) To perform such other functions and duties in order to protect public health, safety,
151 and welfare as may be required to carry out this chapter.
152 (e) The department shall provide reasonably necessary administrative support for
153 committee activities.
154 (f) The department shall be authorized to promulgate rules and regulations necessary to
155 implement the provisions of this article, including recommendations from the committee.

156 31-31-4.

- 157 (a) All training programs in this state shall satisfy the requirements established by the
158 department. No entity shall hold itself out as providing training and education for certified
159 community health workers in this state unless its training program has been approved by
160 the committee.
161 (b) The department shall post on its website the requirements and the application form for
162 a training program to become approved and for the renewal of such approvals. Such
163 requirements shall include 45 hours of core competency training, of which 16 hours shall
164 include training on specific health topics.
165 (c) An applicant for an approved training program shall submit an application to the
166 committee demonstrating satisfaction of the requirements for a training program and pay
167 a fee set by the department; provided, however, that, if an applicant provided education and

168 training to community health workers prior to July 1, 2027, such applicant shall submit an
169 application to the committee demonstrating satisfaction of requirements for such program,
170 pay a fee set by the department, and provide a list of students who successfully completed
171 such program at any time from January 1, 2016, to July 1, 2027.

172 (d) An application is not complete until the committee has received all the required
173 materials. The committee shall notify the applicant within 15 calendar days after receipt
174 of an application whether such application is complete or incomplete and identify any
175 materials that are needed to complete such application. When the applicant fails to provide
176 the required documentation within 120 calendar days of notification, the committee may
177 administratively close such application or deny the application. An applicant whose
178 application is administratively closed or denied may reapply and submit a new application
179 and a new application fee.

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

184 31-31-5.

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

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

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

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

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

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

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

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

210 (B) The committee shall submit the fingerprints or other identifying information
211 furnished by an applicant to the Georgia Crime Information Center. The Georgia
212 Crime Information Center is authorized to submit such fingerprints or information to
213 the Federal Bureau of Investigation for a national criminal background check. The
214 Georgia Crime Information Center shall notify the committee in writing of its findings,
215 including, but not limited to, the inability to identify a criminal record. Any findings
216 received by the committee shall be used for the exclusive purpose of carrying out its
217 responsibilities under this Code section, shall not be public records, shall be
218 confidential, and shall not be disclosed to any other person or agency, except to any
219 person or agency which otherwise has a legal right to inspect such data. Any records

220 obtained in furtherance of this Code section shall be maintained by the committee
221 pursuant to laws regarding such records and the rules and regulations of the Federal
222 Bureau of Investigation and the Georgia Crime Information Center as applicable.

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

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

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

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

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

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

243 (e) An application for a certified community health worker is not complete until the
244 committee has received all the required materials. The committee shall notify the applicant
245 within 15 calendar days after receipt of an application whether such application is complete
246 or incomplete and identify any materials that are needed to complete such application.

247 When the applicant fails to provide the required documentation within 120 calendar days
248 of notification, the committee may administratively close such application or deny the
249 application. An applicant whose application is administratively closed or denied may
250 reapply and submit a new application and a new application fee.

251 (f) Certificates issued pursuant to this Code section shall be valid for up to two years and
252 shall expire biennially unless renewed. Suspension and revocation of certificates shall be
253 subject to the administrative procedures contained in Chapter 13 of Title 50, the 'Georgia
254 Administrative Procedure Act.'

255 **SECTION 3.**

256 (a) Except as provided in subsection (b) of this section, this Act shall become effective on
257 July 1, 2026.

258 (b)(1) Section 2 of this Act shall become effective only if funds are specifically
259 appropriated for the purposes of this Act in an appropriations Act enacted by the General
260 Assembly.

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

262 (A) The date on which such appropriations Act becomes effective; or

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

264 **SECTION 4.**

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