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PERMANENT ADMINISTRATIVE RULES

Oregon Health Authority, Division of Medical Assistance
Programs

410

Agency and Division

Administrative Rules Chapter Number

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RULE CAPTION

Traditional Health Worker Certification and Registry Application and Renewal
Process and Background Check Requirements

Not more than 15 words

RULEMAKING ACTION

ADOPT: 410-180-0325, 410-180-0326

AMEND:

REPEAL: 410-180-0325 (T)

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 413.042, 414.635 & 414.665

Other Auth.: Oregon Laws 2011, chapter 602 & Oregon Laws 2012, chapter 8

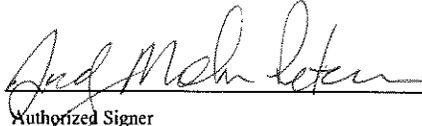
Stats. Implemented.: ORS 181.437, 414.635 & 414.665

RULE SUMMARY

House Bill 3650, passed during the 2011 legislative session, mandates that members enrolled in Oregon's Coordinated Care Organizations (CCOs) have access to Traditional Health Workers (THWs) to facilitate culturally and linguistically

appropriate care. THWs include community health workers, personal health navigators, peer wellness specialists and other health care workers who are not currently regulated or certified by this state, including birth doulas. The Authority needs to adopt these rules which establish a new application and renewal process for THW certification and registry enrollment. These rules also set forth the THW background check requirements, which THWs must pass before being certified, enrolled on the Authority's registry and to be eligible for Medicaid reimbursement for their services.

The Authority needs to adopt these to ensure the full engagement and utilization of THWs in Oregon's Integrated and Coordinated Healthcare System to ensure quality healthcare for its clients.

 Inay MOHR PETERSON 1/14/2014
Authorized Signer Printed Name Date

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410-180-0325

**Application and Renewal Process for Traditional Health Worker (THW)
Certification and Registry Enrollment**

(1) Individuals seeking THW certification and registry enrollment must:

(a) Be at least 18 years of age;

(b) Not be listed on the Medicaid provider exclusion list;

(c) Have successfully completed all training requirements for certification pursuant to these rules; and

(d) Submit to the Authority all required documentation and a completed application on an Authority prescribed form.

(2) Peer support specialists as defined in OAR 410-180-0305(13)(b) (c) who choose to have their background check completed by an outside entity pursuant to OAR 410-180-0326 may be certified by that entity.

(a) The entity's certification requirements must include all peer support specialists certification requirements set forth in these rules.

(b) Peer support specialists must have either:

(A) The outside entity submit the certification and background check information to the Authority; or

(B) Submit to the Authority all required documentation and a completed application on an authority prescribed form.

(2) Individuals seeking THW certification and registry enrollment as a grandfathered community health worker, peer wellness specialist, personal health navigator, or peer support specialist must:

(a) Be at least 18 years of age;

(b) Not be listed on the Medicaid provider exclusion list;

(c) Submit to the Authority all required documentation and a completed application on an Authority prescribed form;

(d) Submit a minimum of one letter of recommendation and competency evaluation on an Authority prescribed form from any previous employer for whom THW services have been provided from January 1, 2004 to June 30, 2014;

(e) Except for peer support specialists, all THW's must submit verifiable evidence of working or volunteering in the capacity of a community health worker, peer wellness specialist or personal health navigator for at least 3000 hours from January 1, 2004 to June 30, 2014;

(f) Peer support specialists must submit verifiable evidence of working or volunteering in the capacity of a peer support specialist for at least 2000 hours from January 1, 2004 to June 30, 2014;

(g) Verifiable evidence may include but is not limited to pay statement, services contract, student practicum, or volunteer time log.

(3) Applications are available on the THW program webpage or a paper copy may be obtained upon request to the Oregon Health Authority Office of Equity and Inclusion.

(4) Applicants may withdraw from the process at any time by submitting written notification to the Authority.

(5) Applicants who complete a training program after August 2, 2013 must apply for certification within three years of program completion.

(6) Applicants who have completed a training program more than three years prior to application for certification shall be denied certification. If the Authority denies certification, the applicant may file an appeal with the Authority for an exemption.

(7) If the Authority determines that an applicant has met all certification requirements, the Authority shall notify the applicant in writing granting the individual certification as a THW and add the individual to the registry.

(8) Certification is valid for 36 months from the date of certification.

(9) A THW seeking certification renewal must:

(a) Submit a completed renewal application on an Authority prescribed form; and

(b) Provide written verification indicating the certificate holder has met the applicable requirements for continuing education set forth in OAR 410-180-0320.

(10) Renewal applications must be submitted to the Authority no less than 30 days prior to the expiration of the current certification period.

(11) The Authority shall remove a THW from the registry if the THW fails to renew certification within the renewal period.

(12) THWs who have been removed from the registry following certification expiration shall be denied renewal unless they file an appeal with the Authority and are granted an exemption.

Stat. Auth.: ORS 413.042, 414.635 & 414.665

Stats. Implemented: ORS 414.635 & 414.665

410-180-0326

Background Check Requirements

(1) All individuals seeking certification and registry enrollment as a community health worker, peer wellness specialist, birth doula, peer support specialist as defined in OAR 410-180-0305 (13) (a) and (d), or personal health navigator must have a background check conducted by the Authority in accordance with OAR 943-007-0010 through 0501 specifically incorporating and limited to OAR 407-007-0200 to 407-007-0250, and 407-007-0280 to 407-007-0325, and 407-007-0340 to 407-007-0370 and expressly not incorporating OAR 407-007-0275 (Disqualifying Convictions Under ORS 443.004 for Aging and People with Disabilities Programs) and 407-007-0277 (Disqualifying Convictions under ORS 443.004 for Mental Health or Alcohol and Drug Programs). The Authority may deny certification to a new or renewal applicant based on a fitness determination applying a weighing test for potentially disqualifying convictions or conditions.

(2) To be certified, enrolled on the registry, and eligible for reimbursement under Medicaid, peer support specialists as defined in OAR 410-180-0305(13)(b) and (c) must pass a background check. The background check may be conducted by the Authority or an entity with a contract with the Authority to provide background checks.

(a) If the Authority conducts the background check, the Authority's fitness determination shall comply with the provision of section (1) and shall include the application of a weighing test for potentially disqualifying convictions or conditions, or if otherwise excluded from participation in the medical assistance program.

(b) If the contracting entity conducts the background check, the provisions of 407-007-0277(Disqualifying Convictions under ORS 443.004 for Mental Health or Alcohol and Drug Programs) shall apply.

(c) Peer support specialists described in section (2) may determine which entity shall conduct the background check.

(3) Individuals seeking certification who are excluded from participating in the medical assistance program shall be denied certification and registry enrollment. The Authority shall consult with the Office of the Inspector General to determine if the applicant is excluded from participation.

Stat. Auth.: ORS 413.042, 414.635 & 414.665

Stats. Implemented: ORS 181.537, 414.635 & 414.665