

# House Bill 3407

Sponsored by Representatives GALLEGOS, KENY-GUYER; Representatives CLEM, LIVELY, THOMPSON, WEIDNER

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes Traditional Health Workers Commission within Oregon Health Authority to adopt by rule criteria and descriptions for coordinated care organizations to use with respect to health workers who are not licensed by this state and training and education requirements for those workers.

## A BILL FOR AN ACT

1  
2 Relating to the Traditional Health Workers Commission; creating new provisions; and amending  
3 ORS 414.665.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapter 414.**

6 **SECTION 2. (1) There is established within the Oregon Health Authority the Traditional  
7 Health Workers Commission.**

8 **(2) The Director of the Oregon Health Authority shall appoint the following 19 members  
9 to serve on the commission:**

10 **(a) Ten members, at least six of whom must be appointed from nominees provided by the  
11 Oregon Community Health Workers Association, who represent health workers who are not  
12 licensed by this state, including at least one member to represent each of the following:**

13 **(A) Community health workers;**

14 **(B) Personal health navigators;**

15 **(C) Peer wellness specialists; and**

16 **(D) Doulas;**

17 **(b) One member who represents the State Board of Higher Education;**

18 **(c) One member who is a community health nurse who represents the Oregon Nurses  
19 Association;**

20 **(d) One member who is a physician who represents the Oregon Medical Association;**

21 **(e) One member selected from nominees provided by the Home Care Commission;**

22 **(f) One member who represents coordinated care organizations;**

23 **(g) One member who represents a community health worker labor organization;**

24 **(h) One member who supervises community health workers at a community-based or-  
25 ganization, local health department, as defined in ORS 433.235, or agency, as defined in ORS  
26 183.310;**

27 **(i) One member who represents community-based organizations or agencies, as defined  
28 in ORS 183.310, that provide for the training of community health workers; and**

29 **(j) One member who represents a consumer of services provided by health workers who  
30 are not licensed by this state.**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1       **(3) In appointing members under subsection (2) of this section, the director shall consider**  
 2 **whether the composition of the Traditional Health Workers Commission represents the ge-**  
 3 **ographic, ethnic, gender, racial and economic diversity of this state and the various abilities**  
 4 **of health workers who are not licensed by this state.**

5       **(4) The term of office of each member of the commission is three years, but a member**  
 6 **serves at the pleasure of the director. Before the expiration of the term of a member, the**  
 7 **director shall appoint a successor whose term begins on January 1 next following. A member**  
 8 **is eligible for reappointment. If there is a vacancy for any cause, the director shall make an**  
 9 **appointment to become immediately effective for the unexpired term.**

10       **(5) A majority of the members of the commission constitutes a quorum for the trans-**  
 11 **action of business.**

12       **(6) Official action by the commission requires the approval of a majority of the members**  
 13 **of the commission.**

14       **(7) The commission shall elect one of its members to serve as chairperson.**

15       **(8) The commission shall meet at times and places specified by the call of the chairperson**  
 16 **or of a majority of the members of the commission.**

17       **(9) The commission may adopt rules necessary for the operation of the commission.**

18       **(10) A member of the commission is entitled to compensation and expenses as provided**  
 19 **in ORS 292.495.**

20       **SECTION 3. Notwithstanding the term of office specified by section 2 of this 2013 Act,**  
 21 **of the members first appointed to the Traditional Health Workers Commission:**

22       **(1) Six shall serve for a term ending January 1, 2015;**

23       **(2) Six shall serve for a term ending January 1, 2016; and**

24       **(3) Seven shall serve for a term ending January 1, 2017.**

25       **SECTION 4. ORS 414.665 is amended to read:**

26       414.665. *[(1) The Oregon Health Authority, in consultation with the appropriate health professional*  
 27 *regulatory boards as defined in ORS 676.160 and advocacy groups, shall develop and establish with*  
 28 *respect to community health workers, personal health navigators, peer wellness specialists and other*  
 29 *health care workers who are not regulated or certified by this state:]*

30       **(1) The Traditional Health Workers Commission, for the purposes related to the regu-**  
 31 **lation of community health workers, personal health navigators, peer wellness specialists,**  
 32 **doulas and other health care workers who are not licensed by this state, shall adopt by rule:**

33       **(a) The criteria and descriptions of such individuals that may be utilized by coordinated care**  
 34 **organizations; and**

35       **(b) Education and training requirements for such individuals.**

36       **(2) The criteria and requirements established under subsection (1) of this section:**

37       **(a) Must be broad enough to encompass the potential unique needs of any coordinated care or-**  
 38 **ganization;**

39       **(b) Must meet requirements of the Centers for Medicare and Medicaid Services to qualify for**  
 40 **federal financial participation; and**

41       **(c) May not require certification by the Home Care Commission.**

42       **SECTION 5. Any rule adopted by the Oregon Health Authority under ORS 414.665 estab-**  
 43 **lishing criteria and requirements for community health workers, personal health navigators,**  
 44 **peer wellness specialists and other health workers who are not licensed by this state that is**  
 45 **in effect on the effective date of this 2013 Act continues in effect until superseded or repealed**

1 **by rules of the Traditional Health Workers Commission.**

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