

OFFICE OF THE SECRETARY OF STATE
DENNIS RICHARDSON
SECRETARY OF STATE

LESLIE CUMMINGS
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION
MARY BETH HERKERT
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 410
OREGON HEALTH AUTHORITY
HEALTH SYSTEMS DIVISION: MEDICAL ASSISTANCE PROGRAMS

FILED
05/17/2018 8:41 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Add Family Support Specialist and Youth Support Specialist to Definitions, Certification, and Recertification Requirements

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 06/18/2018 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

CONTACT: Sandy Cafourek
503-945-6430
sandy.c.cafourek@dhsosha.state.or.us

500 Summer St. NE
Salem, OR 97301

Filed By:
Sandy Cafourek
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 06/15/2018

TIME: 10:30 AM - 11:30 AM

OFFICER: Sandy Cafourek

ADDRESS: Human Services Building

500 Summer St. NE, Room 137A

Salem, OR 97301

SPECIAL INSTRUCTIONS:

Send written public comments to
hsd.rules@dhsosha.state.or.us

NEED FOR THE RULE(S):

Based on the legislation passed in 2017, the Division needs to amend the definitions of Peer Support Specialist and Peer Wellness Specialist and add Family Support Specialist and Youth Support Specialist. The same Medicaid billing requirements were in place before the legislation was passed. The legislation provided for statutory authority to reflect current procedures that were enacted without administrative rules. Administrative rules are necessary to ensure compliance with the state Medicaid plan.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

HB 2304

FISCAL AND ECONOMIC IMPACT:

None

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

(1) Amending these rules will have no fiscal impact on the Authority, other state agencies, units of local government, the public, or businesses, including small businesses. (2) (a) Small businesses will not be affected by this legislation because it is now promulgating the legislation that has been in practice without actual regulation and statutory authority. The other changes are minor changes to dates that actually extend the time given for people to comply or clarifying the language to reflect current procedures. (b) None (c) None

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small non-profit businesses or non-governmental entities were involved in the RAC. The for-profit service industry entities are not currently employed.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

RULES PROPOSED:

410-180-0300, 410-180-0305, 410-180-0310, 410-180-0312, 410-180-0315, 410-180-0320, 410-180-0325, 410-180-0326, 410-180-0340, 410-180-0345, 410-180-0350, 410-180-0355, 410-180-0360, 410-180-0365, 410-180-0370, 410-180-0375, 410-180-0380

AMEND: 410-180-0300

RULE SUMMARY: The Authority regulates who is eligible to be on the Traditional Health Worker registry. The Authority is amending 410-180 to ensure compliance with changes made during the 2017 legislative session to ORS 413.042, 413.400, 414.025, 414.736, 414.740, 414.665, 443.004, 414.435, and 414.665, amending the definitions of Peer Support Specialist and Peer Wellness Specialist and adding Family Support Specialist and Youth Support Specialist.

CHANGES TO RULE:

410-180-0300

Purpose ¶

These rules establish the criteria for training, certification, and enrollment of traditional health workers (THW) in a registry maintained by the Oregon Health Authority (Authority). THWs include community health workers, personal health navigators, peer wellness specialists, peer support specialists, and birth doulas not otherwise regulated or certified by the State of Oregon. These rules also establish curriculum requirements and procedures for Authority approval of programs seeking to train Oregon's traditional health workers.

Statutory/Other Authority: ORS 413.042, 414.635, 414.665

Statutes/Other Implemented: ORS 414.635, 414.665

AMEND: 410-180-0305

RULE SUMMARY: The Authority regulates who is eligible to be on the Traditional Health Worker registry. The Authority is amending 410-180 to ensure compliance with changes made during the 2017 legislative session to ORS 413.042, 413.400, 414.025, 414.736, 414.740, 414.665, 443.004, 414.435, and 414.665, amending the definitions of Peer Support Specialist and Peer Wellness Specialist and adding Family Support Specialist and Youth Support Specialist.

CHANGES TO RULE:

410-180-0305

Definitions ¶

The following definitions apply to OAR 410-180-0300 through 410-180-0380:¶

- (1) "Authority" means the Oregon Health Authority.¶
- (2) "Authority ~~a~~Approved ~~¶~~Training ~~p~~Program" means an organization that provides ~~and~~ education in the core curriculum that meets Authority standards for one or more types of traditional health workers and ~~has been is~~ approved by the Authority to train those types of traditional health workers.¶
- (3) "Birth ~~d~~Doula" means a birth companion who provides personal, nonmedical support to women and families throughout a woman's pregnancy, childbirth, and post-partum experience.¶
- (4) "Birth ~~d~~Doula ~~e~~Certification ~~e~~Organization" means an entity nationally or internationally recognized for training and certifying birth doulas whose educational requirements includes the core curriculum topics described in these rules.¶
- (5) "Community ~~b~~Based ~~e~~Organization" (CBO)" means a public or private nonprofit organization that is representative of a community or significant segments of a community and engaged in meeting that community's needs in the areas of social, human, or health services.¶
- (6) "Community ~~h~~Health ~~w~~Worker" has the meaning given that term in ORS 414.025.¶
- (7) "Contact ~~h~~Hour" means an hour of classroom, group, or distance learning training. Contact hour does not include homework time, preparatory reading, or practicum.¶
- (8) "Competencies" mean key skills and applied knowledge necessary for THWs to be effective in the work field and carry out their roles.¶
- (9) "Equivalent ~~e~~Credit" means an individual ~~has fulfilled s~~ the requirements of a course or combination of courses, by completing a relatively comparable course or combination of courses.¶
- (10) "~~Grandfathered traditional health w~~Family Support Specialist" means an individual who meets qualification criteria adopted under ORS 414.665 and may be either a peer support specialist or a peer wellness specialist who, based on similar life experiences, provides support services to and has experience parenting a child who:
 - (a) Is a current or former consumer of mental health or addiction treatment; or¶
 - (b) Is facing or has faced difficulties in accessing education, health, and wellness services due to mental health or behavioral health barriers. ¶
- (11) "~~Grandfathered Traditional Health Worker~~" means an individual certified before June 30, 2019, by the Authority as a result of their prior work experience and fulfillment of all additional requirements for grandfathering as set forth in these rules.¶
- (12) "~~Means Counseling~~" means the use of individual or family, in case of a child, strategies designed to reduce the access by an individual who is at an elevated risk for suicide to lethal means, including but not limited to firearms. Application of terms is in ORS 743A.168 and OAR 836-053-1403 (7).¶
- (13) "Peer ~~s~~Support ~~s~~Specialist" means an individual providing services to another individual who shares a similar life experience with the peer support specialist (addiction to addiction, mental health condition to mental health condition, family member of an individual with a mental health condition to family member of an individual with a mental health condition, ~~young adult to young adult~~). A peer support specialist shall be:¶
 - (a) A self-identified individual currently or formerly receiving addictions or mental health services;¶
 - (b) A self-identified individual in recovery from an addiction disorder; who meets the abstinence requirements for recovering staff in alcohol or other drug treatment programs;¶

- (c) A self-identified individual in recovery from problem gambling; ~~or~~
- ~~(d) The family member of an individual currently or formerly receiving addictions or mental health services.~~
- (124) "Peer ~~w~~Wellness ~~s~~Specialist" has the meaning given that term in ORS 414.025.
- (135) "Personal ~~h~~Health ~~n~~Navigator" has the meaning given that term in ORS 414.025.
- (146) "Registry" means a list maintained by the Authority of traditional health workers certified under these rules.
- (157) "Safety Planning" means a process of implementation of a document developed through a collaborative process in which the provider assisted the individual and family, in case of a child, that identified strategies to prevent suicide, overdose, or psychiatric emergency when the risk is elevated or following a period of crisis. Application of terms is in ORS 743A.168 and OAR 836-053-1403 (13).
- (18) "THW ~~a~~Applicant" means an individual who ~~has applied~~s to the Authority for traditional health worker certification.
- (169) "Traditional ~~h~~Health ~~w~~Worker" (THW)" means a community health worker, peer wellness specialist, personal health navigator, peer support specialist, or birth doula not otherwise regulated or certified by the ~~s~~State of Oregon.
- ~~(1720)~~ "Training ~~p~~Program ~~a~~Applicant" means an organization or entity that ~~has applied~~s for Authority approval of its training program and curricula for any of the traditional health worker types.
- ~~(218)~~ "Verifiable ~~e~~Evidence" means a pay statement, services contract, student practicum, volunteer time log, or other documentation reflecting hours worked or volunteered.
- (22) "Youth Support Specialist" means an individual who meets qualification criteria adopted under ORS 414.665 and may be either a peer support specialist or a peer wellness specialist and who, based on a similar life experience, provides supportive services to an individual who:
- (a) Is not older than 30 years old, and
- (b) Is a current or former consumer of mental health or addiction treatment; or
- (c) Is facing or has faced difficulties in accessing education, health, and wellness services due to mental health or behavioral health barriers.

Statutory/Other Authority: ORS 413.042, 414.635, 414.665

Statutes/Other Implemented: ORS 414.635, 414.665

AMEND: 410-180-0310

RULE SUMMARY: The Authority regulates who is eligible to be on the Traditional Health Worker registry. The Authority is amending 410-180 to ensure compliance with changes made during the 2017 legislative session to ORS 413.042, 413.400, 414.025, 414.736, 414.740, 414.665, 443.004, 414.435, and 414.665, amending the definitions of Peer Support Specialist and Peer Wellness Specialist and adding Family Support Specialist and Youth Support Specialist.

CHANGES TO RULE:

410-180-0310

Community Health Worker, Peer Wellness Specialist, Personal Health Navigator Certification Requirements ¶

(1) To be certified as a community health worker, peer wellness specialist, or personal health navigator, an individual shall:¶

- (a) Complete all required training offered by an Authority approved 80-hour training program for that individual's traditional health worker (THW) type;¶
- (b) Complete an Authority approved oral health training;¶
- (c) Complete all application requirements to be in the state registry;¶
- (d) Complete the Authority certification process; and¶
- (e) Be successfully accepted into the state registry.¶

(2) Individuals who hold national or non-Oregon state certification and are in good standing with their certifying body, may be granted reciprocity or receive equivalent credit for previously completed training. The Authority shall determine the criteria for reciprocity and equivalent credit.

Statutory/Other Authority: ORS 413.042, 414.635, 414.665

Statutes/Other Implemented: ORS 414.635, 414.665

AMEND: 410-180-0312

RULE SUMMARY: The Authority regulates who is eligible to be on the Traditional Health Worker registry. The Authority is amending 410-180 to ensure compliance with changes made during the 2017 legislative session to ORS 413.042, 413.400, 414.025, 414.736, 414.740, 414.665, 443.004, 414.435, and 414.665, amending the definitions of Peer Support Specialist and Peer Wellness Specialist and adding Family Support Specialist and Youth Support Specialist.

CHANGES TO RULE:

410-180-0312

Peer Support Specialist Certification Requirements ¶¶

(1) To be certified as a peer support specialist, an individual shall:¶¶

(a) Complete all required training offered by an Authority approved 40-hour training program for peer support specialists;¶¶

(b) Complete an Authority approved oral health training;¶¶

(c) Complete all application requirements to be in the state registry;¶¶

(d) Complete the Authority certification process; and¶¶

(e) Be successfully accepted into the state registry.¶¶

(2) Individuals who hold national or non-Oregon state certification and are in good standing with their certifying body, may be granted reciprocity or receive equivalent credit for previously completed training. The Authority shall determine the criteria for reciprocity and equivalent credit.

Statutory/Other Authority: ORS 413.042, 414.635, 414.665

Statutes/Other Implemented: ORS 414.635, 414.665

AMEND: 410-180-0315

RULE SUMMARY: The Authority regulates who is eligible to be on the Traditional Health Worker registry. The Authority is amending 410-180 to ensure compliance with changes made during the 2017 legislative session to ORS 413.042, 413.400, 414.025, 414.736, 414.740, 414.665, 443.004, 414.435, and 414.665, amending the definitions of Peer Support Specialist and Peer Wellness Specialist and adding Family Support Specialist and Youth Support Specialist.

CHANGES TO RULE:

410-180-0315

Birth Doula Certification Requirements ¶

(1) To be certified as a birth doula, an individual shall:¶

(a) Complete all required training specified in OAR 410-180-0375 through:¶

(i) ~~A~~ An Authority approved birth doula training program; or¶

(ii) ~~B~~ A combination of programs that results in meeting all the requirements through equivalent credit.¶

(b) Complete an Authority approved oral health training;¶

(c) Be CPR-certified for children and adults;¶

(d) Create a community resource list on an Authority approved form;¶

(e) Document attendance at a minimum of three births and three postpartum visits using an Authority approved form;¶

(f) Complete all application requirements to be in the state registry;¶

(g) Complete the Authority certification process; and¶

(h) Be successfully accepted into the state registry.¶

(2) Individuals who hold national or non-Oregon state certification and are in good standing with their certifying body, may be granted reciprocity or receive equivalent credit for previously completed training. The Authority shall determine the criteria for reciprocity and equivalent credit.

Statutory/Other Authority: ~~414.635~~, ORS 413.042, ~~414.635~~, 414.665

Statutes/Other Implemented: ORS 414.635, 414.665

AMEND: 410-180-0320

RULE SUMMARY: The Authority regulates who is eligible to be on the Traditional Health Worker registry. The Authority is amending 410-180 to ensure compliance with changes made during the 2017 legislative session to ORS 413.042, 413.400, 414.025, 414.736, 414.740, 414.665, 443.004, 414.435, and 414.665, amending the definitions of Peer Support Specialist and Peer Wellness Specialist and adding Family Support Specialist and Youth Support Specialist.

CHANGES TO RULE:

410-180-0320

Traditional Health Worker Continuing Education Requirements ¶

(1) To maintain certification status, all THWs shall complete at least 20 hours of Authority approved continuing education during every three-year renewal period.¶

~~(2-year renewal period.¶~~

(2) Family support specialists and youth support specialists shall complete at least 40 hours of Authority approved continuing education during every three-year renewal period. Two topics must be included within the 40 hours: ¶

(a) The application of "means counseling" and "safety planning;" ¶

(b) The use of lived experience and ethical practice.¶

(3) Continuing education hours taken in excess of the total number required may not be carried over to the next renewal period.¶

(34) Requests for approval of continuing education courses may come from the hosting organization or from a certified THW attending the training or event.

Statutory/Other Authority: ORS 413.042, 414.635, 414.665

Statutes/Other Implemented: ORS 414.635, 414.665

AMEND: 410-180-0325

RULE SUMMARY: The Authority regulates who is eligible to be on the Traditional Health Worker registry. The Authority is amending 410-180 to ensure compliance with changes made during the 2017 legislative session to ORS 413.042, 413.400, 414.025, 414.736, 414.740, 414.665, 443.004, 414.435, and 414.665, amending the definitions of Peer Support Specialist and Peer Wellness Specialist and adding Family Support Specialist and Youth Support Specialist.

CHANGES TO RULE:

410-180-0325

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

(1) Individuals seeking THW certification and registry enrollment shall:¶

(a) Be at least 18 years of age;¶

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

(c) Successfully complete all training requirements for certification in a traditional health worker category as outlined in these rules;¶

(d) Pass a background check as described in OAR 410-180-0326;¶

(e) Beginning ~~October 1~~ June 30, 2017, successfully complete an Authority approved oral health training;¶

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

(2) An individual applying for certification or renewal as a peer support specialists as that term is defined in OAR 410-180-0305(11)(b)-(c) may have their background check completed by an outside entity pursuant to 410-180-0326 and be certified by that entity:¶

(a) The entity's certification requirements shall include all peer support specialist's certification and renewal requirements set forth in these rules;¶

(b) For Authority certification or renewal and entry into the registry, peer support specialists shall either:¶

(A) Have the outside entity submit their 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.¶

~~(23)~~ Individuals seeking THW certification and registry enrollment as a grandfathered community health worker, peer wellness specialist, personal health navigator, or peer support specialist shall:¶

(a) Be at least 18 years of age;¶

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

(c) Pass a background check as described in OAR 410-180-0326;¶

(d) Submit to the Authority all required documentation and a completed application on an Authority prescribed form by ~~June 30, 2019~~ June 30, 2021, including:¶

~~(i)~~ (A) A minimum of one letter of recommendation from any previous employer for whom THW services were provided between January 1, 2008, and June 30, ~~2016~~ 2021; and¶

~~(ii)~~ (B) 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 between January 1, 2008 ~~to~~ and June 30, ~~2016~~ 2021; or¶

~~(iii)~~ (C) Verifiable evidence of working or volunteering in the capacity of a peer support specialist for at least 2000 hours between January 1, 2008, and June 30, ~~2016~~ 2021.¶

~~(34)~~ Registry applications are available on the THW program webpage or by request to the Oregon Health Authority Office of Equity and Inclusion.¶

~~(45)~~ An individual may withdraw from the application process for certification and enrollment or from the registry by submitting written notification to the Authority unless a complaint investigation or revocation proceeding is underway.¶

~~(56)~~ Except for birth doulas, applicants shall apply for certification within three years of completing a training program to be eligible for certification and registry enrollment.¶

~~(67)~~ Except for birth doulas, applicants denied certification because they completed a training program more than three years prior to application may file an appeal with the Authority for an exemption.¶

~~(78)~~ If the Authority determines that an applicant ~~has-meets~~ the requirements of this section, the Authority shall notify the applicant in writing granting the individual certification as a THW and adding the individual to the registry.¶

~~(89)~~ Certification is valid for 36 months from the date of certification.¶

~~(910)~~ A THW seeking certification renewal shall:¶

(a) Submit a completed renewal application on an Authority prescribed form; no less than 30 days before the expiration of the current certification period;¶

(b) Pass a background check as described in OAR 410-180-0326;¶

(c) Provide written verification indicating that the certificate holder ~~has-meets~~ the applicable requirements for continuing education set forth in OAR 410-180-0320; and¶

(d) During the renewal period occurring between October 2017 and October 2020:¶

~~(iA)~~ Complete Authority approved oral health training; and¶

~~(iiB)~~ Submit proof of completion with their renewal application.¶

~~(121)~~ The Authority shall remove a THW from the registry if the THW fails to renew certification within the renewal period.¶

~~(132)~~ THWs removed from the registry following certification expiration shall be denied renewal unless they file an appeal with the Authority within 60 calendar days of certification expiration and are granted an exemption.

Statutory/Other Authority: ORS 413.042, 414.635, 414.665

Statutes/Other Implemented: ORS 414.635, 414.665

AMEND: 410-180-0326

RULE SUMMARY: The Authority regulates who is eligible to be on the Traditional Health Worker registry. The Authority is amending 410-180 to ensure compliance with changes made during the 2017 legislative session to ORS 413.042, 413.400, 414.025, 414.736, 414.740, 414.665, 443.004, 414.435, and 414.665, amending the definitions of Peer Support Specialist and Peer Wellness Specialist and adding Family Support Specialist and Youth Support Specialist.

CHANGES TO RULE:

410-180-0326

Background Check Requirements ¶

(1) For all new or renewal applications for THW certification, the Authority shall:¶

(~~b~~a) Conduct a background check in accordance with 943-007-0010 through _0501, specifically incorporating and limited to 407-007-0200 to 407-007-0250; and 407-007-0340 to 407-007-0370 and expressly not incorporating 407-007-0275 and 407-007-0277;:¶

(b) Consult with the Office of the Inspector General to determine if the applicant is excluded from participation in the medical assistance program.¶

(2) New or renewal THW applicants may be denied certification or renewal of certification based on a fitness determination that applies a weighting test for potentially disqualifying convictions or conditions.¶

(3) New or renewal THW applicants shall be denied certification if they are excluded from participating in the medical assistance program.¶

(4) To be certified, enrolled in the registry, and eligible for reimbursement under Medicaid, peer support specialists as defined in OAR 410-180-0305(11)(b) and (c) are required to pass a background check. The background check may be conducted by the Authority or by an entity contracting 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 weighting test for potentially disqualifying convictions or conditions.:¶

(b) If a contracting entity conducts the background check, the provisions of 407-007-0277 shall apply.:¶

(c) Peer support specialists described in this section may choose which entity conducts the background check.

Statutory/Other Authority: ORS 413.042, 414.635, 414.665

Statutes/Other Implemented: ORS 181.537, 414.635, 414.665

AMEND: 410-180-0340

RULE SUMMARY: The Authority regulates who is eligible to be on the Traditional Health Worker registry. The Authority is amending 410-180 to ensure compliance with changes made during the 2017 legislative session to ORS 413.042, 413.400, 414.025, 414.736, 414.740, 414.665, 443.004, 414.435, and 414.665, amending the definitions of Peer Support Specialist and Peer Wellness Specialist and adding Family Support Specialist and Youth Support Specialist.

CHANGES TO RULE:

410-180-0340

Standards of Professional Conduct ¶¶

(1) An Authority certified THW; shall comply with Standards of Professional Conduct set forth in this rule. The violation of the standards may result in the suspension or revocation of certification or denial of an application for renewal.¶¶

(2) THWs shall:¶¶

(a) Acquire, maintain, and improve professional knowledge and competence using scientific, clinical, technical, psychosocial, governmental, cultural, and community-based sources of information;:¶¶

(b) Represent all aspects of professional capabilities and services honestly and accurately;:¶¶

(c) Ensure that all actions are within their scope of practice with community members and are based on understanding and implementing the core values of caring, respect, compassion, ~~appropriate~~ethical boundaries, and appropriate use of personal power;:¶¶

(d) Develop positive collaborative partnerships with community members, colleagues, and other health care providers to provide care, services, and supports that are safe, effective, and appropriate to a community member's needs;:¶¶

(e) Regardless of clinical diagnosis, develop and incorporate respect for diverse community member backgrounds when planning and providing services, including lifestyle, sexual orientation, race, gender, ethnicity, religion, age, marital status, political beliefs, socioeconomic status, or any other preference or personal characteristic, condition, or state;:¶¶

(f) Act as an advocate for community members and their needs;:¶¶

(g) Support self-determination for community members in a culturally ~~competent~~responsive, trauma informed manner;:¶¶

(h) Make decisions and act based on sound ethical reasoning and current principles of practice in a way that supports empowerment and respect for community members' culture and self-defined health care goals;:¶¶

(i) Maintain individual confidentiality;:¶¶

(j) Comply with laws and regulations involving mandatory reporting of harm, abuse, or neglect while making every effort to involve the individuals in planning for services and ensuring that no further harm is done to family members as the result of the reporting;:¶¶

(k) Recognize and protect an individual's rights as described in section (3) of this rule.¶¶

(3) Individuals have the right to:¶¶

(a) Dignity and respect;¶¶

(b) Freedom from theft, damage, or misuse of personal property;¶¶

(c) Freedom from neglect and abuse, whether verbal, mental, emotional, physical, or sexual;¶¶

(d) Freedom from financial exploitation;¶¶

(e) Freedom from physical restraints;¶¶

(f) Freedom from discrimination in regard to race, color, national origin, disability, gender, sexual orientation, socioeconomic status, size, type of diagnosis criminal history or religion;¶¶

(g) Confidentiality of their information and records; and¶¶

(h) ~~To~~Give voice to grievances or complaints regarding services or any other issue without discrimination or reprisal for exercising their rights.

Statutory/Other Authority: ORS 413.042, 414.635, 414.665

Statutes/Other Implemented: ORS 414.635, 414.665

AMEND: 410-180-0345

RULE SUMMARY: The Authority regulates who is eligible to be on the Traditional Health Worker registry. The Authority is amending 410-180 to ensure compliance with changes made during the 2017 legislative session to ORS 413.042, 413.400, 414.025, 414.736, 414.740, 414.665, 443.004, 414.435, and 414.665, amending the definitions of Peer Support Specialist and Peer Wellness Specialist and adding Family Support Specialist and Youth Support Specialist.

CHANGES TO RULE:

410-180-0345

Denial, Suspension or Revocation of Certification ¶¶

(1) The Authority may deny, suspend, or revoke certification when an applicant or certificate holder fails to comply with these rules.¶

(2) The Authority shall deny, suspend, or revoke certification pursuant to ORS 183.411 through 183.470, and the applicant or certificate holder may request a contested case hearing.

Statutory/Other Authority: ORS 413.042, 414.635, 414.665

Statutes/Other Implemented: ORS 414.635, 414.665

AMEND: 410-180-0350

RULE SUMMARY: The Authority regulates who is eligible to be on the Traditional Health Worker registry. The Authority is amending 410-180 to ensure compliance with changes made during the 2017 legislative session to ORS 413.042, 413.400, 414.025, 414.736, 414.740, 414.665, 443.004, 414.435, and 414.665, amending the definitions of Peer Support Specialist and Peer Wellness Specialist and adding Family Support Specialist and Youth Support Specialist.

CHANGES TO RULE:

410-180-0350

Training Program Requirements ¶

(1) All Authority approved training programs shall:¶

(a) Meet the curriculum requirements for the THW type being trained.;¶

(b) Demonstrate active efforts to establish equivalency for students who have previously completed training that meets one or more training requirements for their THW type.;¶

(c) Require experienced THWs of their THW certification type be involved in developing and teaching the core curriculum.;¶

(d) ~~Be a~~Demonstrate that the organization has sufficient culturally diverse ~~community based organization (CBO) or include collaboration with at least one~~ or collaborates with an organization devoted to cultural diversity to address the needs of a culturally diverse population both in training traditional health workers and in training traditional health workers to administer to the needs of the culturally diverse ~~CBO~~ population served.¶

(e) Demonstrate the use of various teaching methodologies, including but not limited to popular education and adult learning;¶

(f) Demonstrate the use of various training delivery formats, including but not limited to classroom instruction, and group, and distance learning.;¶

(g) Demonstrate efforts to make training inclusive and accessible to individuals with different learning styles, education backgrounds, and needs.;¶

(h) Demonstrate efforts to remove barriers to enrollment for students.;¶

(i) Include any combination of written, oral, or practical cognitive examinations to evaluate and document the acquisition of knowledge and mastery of skills required by the curriculum designed to instruct in the THW competencies.;¶

(j) Demonstrate the inclusion of a method or process for individuals trained by the program to evaluate and give feedback on the training experience.;¶

(k) Maintain an accurate record of ~~each individual~~everyone's attendance and participation in training for at least five years after course completion.;¶

~~(L)~~ Agree to verify and provide the Authority with names of individuals who successfully completeds the training program when those individuals apply for certification and registry enrollment.;¶

(m) Agree to issue a certificate of completion or a certificate of attendance to all successful training program ~~graduates~~participants. Only a certificate of completion is acceptable as verification of Authority approved training for placement on the registry. A certificate of completion indicates that the participant meets all required instruction, demonstrates achievement of all competency requirements, and has life experience as defined in OAR 410-180-305 if applying for PSS, PWS, FSS, or YSS certification or if applying for CHW and has experiential knowledge from the same community in which they serve as a CHW.¶

(2) Individuals or entities applying to become an Authority approved training program shall submit information to the Authority that includes at minimum:¶

(a) Contact information for the individual or entity, including director name and contact information;¶

(b) Syllabus, curriculum guide, and course materials that demonstrate the curriculum covers the required competencies;¶

(c) Indication of the training type and curriculum, including specialized training to be offered for community health workers, peer wellness specialists, peer support specialists, family support specialists, youth support specialists,

personal health navigators, and birth doulas;¶

(d) An overview of the teaching philosophy and methodology;¶

(e) A description of the method of final examinations;¶

(f) Description of the criteria for providing a certificate of attendance or a certificate of completion;¶

(g) A list of instructors, including experienced THWs for that THW type;¶

(gh) A description of the geographic area served;¶

(hi) A signed agreement describing a CBO partnership, if the applicant is not a CBO;¶

(ij) A description of the approach for recruiting and enrolling a diverse student population to meet the needs of the community, including any strategies for reducing barriers to enrollment; and¶

(jk) An indication of whether academic credit may be given for successful completion of the training program.¶

(L) A description of training and attendee recordkeeping.

Statutory/Other Authority: ORS 413.042, 414.635, 414.665

Statutes/Other Implemented: ORS 414.635, 414.665

AMEND: 410-180-0355

RULE SUMMARY: The Authority regulates who is eligible to be on the Traditional Health Worker registry. The Authority is amending 410-180 to ensure compliance with changes made during the 2017 legislative session to ORS 413.042, 413.400, 414.025, 414.736, 414.740, 414.665, 443.004, 414.435, and 414.665, amending the definitions of Peer Support Specialist and Peer Wellness Specialist and adding Family Support Specialist and Youth Support Specialist.

CHANGES TO RULE:

410-180-0355

Application and Renewal Process for Authority Training Program Approval ¶

- (1) Training program applications are available on the THW program webpage or by request from the Oregon Health Authority Office of Equity and Inclusion.¶
- (2) Training program applicants shall submit an application at least 90 days in advance of the first expected class day.¶
- (3) If an application is incomplete, the Authority shall send notice requesting the additional materials required.¶
 - (a) The notice shall specify the date by which additional materials must be submitted.¶
 - (b) Unless an extension is granted, the Authority shall return the application and take no further action if the applicant does not respond within the specified time frame.¶
- (4) If the Authority determines that an applicant ~~has~~ meets all training program requirements, the Authority shall send written notice of program approval.¶
- (5) Written notice of Authority approval shall be made available to any student or partnering organization upon request.¶
- (6) The Authority shall maintain and make available to the public a list of approved training programs.¶
- (7) Training programs shall apply for renewed approval status every three years.¶
 - (a) Renewal applications are available on the THW program webpage or by request from the Oregon Health Authority Office of Equity and Inclusion.¶
 - (b) Training programs shall complete and submit the renewal application no less than six months prior to the expiration of the current approval period.¶
- (8) Training programs seeking renewal shall provide at a minimum:¶
 - (a) A summary of any proposed changes to the curriculum or its instructors; and¶
 - (b) The number of students trained in the three-year approval period.¶
- (9) Training programs that fail to submit a renewal application at least six months before their renewal date ~~wish~~ will be required to submit a new application rather than apply for renewal.¶
- (10) The Authority may conduct site visits of training programs, either prior to approving or renewing a training program application, or at any time during the three-year approval period.¶
- (11) The Authority may collect data about program evaluation by attendees.¶
- (12) The Authority may conduct investigations as a result of complaints about a training program.¶
- (13) Any change made to an approved training program shall be reported to the Authority within 30 days of the decision, including:¶
 - ~~(a) Changes to the:~~¶
 - ~~(Aa) The training program director or primary contact;~~¶
 - ~~(Bb) The teaching methodology;~~¶
 - ~~(Cc) The curriculum; or~~¶
 - ~~(d) The name and qualification of new instructors;~~¶
 - ~~(e) Any substantial content or syllabus change, excluding changes to style, grammar, or dates; or~~¶
 - ~~(f) Any change not consistent with or represented in the initial application for approval.~~¶
 - (124) If the Authority determines that the reported changes meet the training program requirements described in OAR 410-180-0350, the Authority shall approve the change.¶

- (a) The Authority may request additional information and justification for the reported change;¶
 - (b) If the Authority determines that the reported changes do not comply with the training program requirements described in OAR 410-180-0350, the Authority may deny the change or revoke training program approval.¶
 - ~~(135)~~ (135) The Authority may survey individuals on the registry to determine the adequacy of the Authority approved training programs and approved continuing education units to achieve registry applicant minimal competency.¶
 - ~~(16)~~ (16) A training program applicant or approved training program may request a temporary waiver from a requirement in these rules. A request for a waiver shall:¶
 - (a) Be submitted to the Authority in writing;¶
 - (b) Identify the specific rule for which a waiver is requested;¶
 - (c) Identify the special circumstances relied on to justify the waiver;¶
 - (d) Describe alternatives that were considered, if any, and why alternatives, including compliance, were not selected;¶
 - (e) Demonstrate that the proposed waiver is desirable to maintain or improve the training of THWs; and¶
 - (f) Indicate the proposed duration of the waiver, not to exceed one year.¶
 - ~~(147)~~ (147) If the Authority determines that the applicant or program ~~has satisfied~~ the conditions of this rule, the Authority may grant a waiver.¶
 - ~~(158)~~ (158) An applicant or an approved training program may not act on or implement a waiver until it ~~has received~~ written approval from the Authority.
- Statutory/Other Authority: ORS 413.042, 414.635, 414.665
 Statutes/Other Implemented: ORS 414.635, 414.665

AMEND: 410-180-0360

RULE SUMMARY: The Authority regulates who is eligible to be on the Traditional Health Worker registry. The Authority is amending 410-180 to ensure compliance with changes made during the 2017 legislative session to ORS 413.042, 413.400, 414.025, 414.736, 414.740, 414.665, 443.004, 414.435, and 414.665, amending the definitions of Peer Support Specialist and Peer Wellness Specialist and adding Family Support Specialist and Youth Support Specialist.

CHANGES TO RULE:

410-180-0360

Denial, Suspension, or Revocation of Training Program Approval ¶

(1) The Authority may deny, suspend, or revoke training program approval when an applicant or approved program ~~has failed~~ to comply with statute or these rules. ¶

(2) If the Authority denies, suspends, or revokes approval, it shall send written notice and explain the basis for its decision. ¶

(3) An applicant or approved training program may request that the Authority reconsider its decision and may request a meeting with Authority staff. ¶

(a) The request for reconsideration and a meeting, if requested, shall be submitted in writing within 30 days of the date the Authority mailed the written decision of denial, suspension, or revocation. ¶

(b) The request shall contain a detailed statement with supporting documentation explaining why the requestor believes the Authority's decision is in error. ¶

(4) The Authority shall issue a written decision on reconsideration following review of the materials submitted by the applicant or training program and schedule a meeting with the applicant or training program, if applicable.

Statutory/Other Authority: ORS 413.042, 414.635, 414.665

Statutes/Other Implemented: ORS 414.635, 414.665

AMEND: 410-180-0365

RULE SUMMARY: The Authority regulates who is eligible to be on the Traditional Health Worker registry. The Authority is amending 410-180 to ensure compliance with changes made during the 2017 legislative session to ORS 413.042, 413.400, 414.025, 414.736, 414.740, 414.665, 443.004, 414.435, and 414.665, amending the definitions of Peer Support Specialist and Peer Wellness Specialist and adding Family Support Specialist and Youth Support Specialist.

CHANGES TO RULE:

410-180-0365

Oral Health Training Requirements ¶

(1) The Authority shall approve oral health training that includes coursework in:¶

(a) Basic dental anatomy;¶

(b) Caries and periodontal disease process;¶

(c) Infection and communicable disease;¶

(d) Basic oral hygiene and disease prevention for different ages; and¶

(e) Healthcare system navigation, access, and coverage, including Medicaid.¶

(2) The Authority shall include members of the dental care community in the development of requirements for and approval of Authority approved oral health training.¶

(3) Individuals or entities creating or providing oral health training for approval by the Authority are not required to meet the full qualifications of a training program outlined in OAR 410-180-0350.

Statutory/Other Authority: ORS 413.042, 414.635, 414.665

Statutes/Other Implemented: ORS 414.635, 414.665

AMEND: 410-180-0370

RULE SUMMARY: The Authority regulates who is eligible to be on the Traditional Health Worker registry. The Authority is amending 410-180 to ensure compliance with changes made during the 2017 legislative session to ORS 413.042, 413.400, 414.025, 414.736, 414.740, 414.665, 443.004, 414.435, and 414.665, amending the definitions of Peer Support Specialist and Peer Wellness Specialist and adding Family Support Specialist and Youth Support Specialist.

CHANGES TO RULE:

410-180-0370

Community Health Workers, Peer Wellness Specialists, Personal Health Navigators, and Peer Support Specialists Certification Curriculum Standards ¶

(1) All community health workers, peer wellness specialists, and personal health navigators shall receive training from an Authority approved training program whose curriculum includes:¶

(a) A minimum of 80 contact hours addressing the core curriculum set forth in section (2) of this rule and any additional curriculum topics specific to the type of worker being trained;¶

(b) All the major roles and core competencies listed and defined in the Oregon Health Policy Board Report "The Role of Non-Traditional Health Workers in Oregon's Health Care System" ~~at~~ <https://www.oregon.gov/oha/oei/Documents/nthw-report-120106.pdf>;¶

(2) An Authority approved core curriculum for community health workers, peer wellness specialists, and personal health navigators shall, at a minimum, introduce students to the key principles of the following topics:¶

(a) Community engagement, outreach methods, and relationship building;¶

(b) Communication, including cross-cultural communication, active listening, and group and family dynamics;¶

(c) Empowerment techniques;¶

(d) Identification of community resources;¶

(e) Cultural competency and cross-cultural relationships, including bridging health system and community cultures;¶

(f) Conflict identification and problem solving;¶

(g) Conducting individual strength and needs based assessments;¶

(h) Advocacy;¶

(i) Ethical responsibilities in a multicultural context;¶

(j) Legal responsibilities;¶

(k) Crisis identification and problem-solving, including suicide prevention, overdose/intoxication, psychiatric crisis, and safety planning;¶

(~~l~~) Professional conduct, including culturally appropriate relationship boundaries and maintaining confidentiality;¶

(m) Navigating public and private health and human service systems, including federal, state, regional, and local systems;¶

(n) Working with caregivers, families, and support systems, including paid care workers;¶

(o) Trauma-informed care, including screening and assessment, recovery from trauma, and minimizing re-traumatization;¶

(p) Self-care;¶

(q) Social determinants of health;¶

(r) Building partnerships with local agencies and groups;¶

(s) The role and certified scope of practice for traditional health workers;¶

(t) Roles, expectations, and supervisory relationships for working in multidisciplinary teams, including supervisory relationships;¶

(u) Data collection and types of data;¶

(v) Organization skills, documentation, and use of health information technology;¶

(w) Introduction to disease processes, including chronic diseases, mental health, tobacco cessation, and addictions,

including warning signs, basic symptoms, and when to seek medical help;¶

(x) Health across the life-span;¶

(y) Adult learning principles, including teaching and coaching;¶

(z) Stages of change;¶

(aa) Best practices for health promotion; and¶

(bb) Health literacy issues.¶

(3) In addition to the core curriculum set forth in section (2) of this rule, training programs for community health workers shall include the following topics:¶

(a) Self-efficacy;¶

(b) Community organizing;¶

(c) Group facilitation skills;¶

(d) Conducting community needs assessments;¶

(e) Popular education methods; and¶

(f) Principles of motivational interviewing.¶

(4) In addition to the core curriculum, set forth in section (2) of this rule, training programs for peer wellness specialists shall include the following topics:¶

(a) Self-efficacy;¶

(b) Group facilitation skills;¶

(c) Cultivating individual resilience;¶

(d) Recovery, resilience, and wellness models; and¶

(e) Principles of motivational interviewing.¶

(5) An Authority approved curriculum for peer support specialists shall include a minimum of 40 contact hours that include:¶

(a) The core curriculum set forth in section (2)(a) through (p);¶

(b) The role and scope of practice for peer support specialists; and¶

(c) Recovery, resilience, and wellness.¶

(6) A In addition to the core curriculum training programs for PSS or PWS set forth in section (2)(a) through (p) and (4) or (5) of this rule, an Authority approved curriculum for family support specialists and youth support specialists shall include the following topics:¶

(a) The role of the family support specialist and youth support specialist in the system in the system serving children and youth;¶

(b) Pre-K through post-secondary educational programs;¶

(c) Physical and emotional development for ages 0-25;¶

(d) Parenting principles, protective factors, and developmental assets to promote resilience; and¶

(e) Systems of care principles. ¶

(7) In addition to the core curriculum for PSS or PWS, set forth in section (2)(a) through (p) and (4) or (5) of this rule, training programs an Authority approved curriculum for youth support specialists shall include the following topics:¶

(a) The role of the youth support specialist in programs serving children and youth, youth, and young adults;¶

(b) Collaborative problem-solving principles;¶

(c) Protective factors and developmental assets to promote resilience; and¶

(d) Multi-systems services and payment navigation System of care and positive youth development principles.

Statutory/Other Authority: ORS 413.042, 414.635, 414.665

Statutes/Other Implemented: ORS 414.635, 414.665

AMEND: 410-180-0375

RULE SUMMARY: The Authority regulates who is eligible to be on the Traditional Health Worker registry. The Authority is amending 410-180 to ensure compliance with changes made during the 2017 legislative session to ORS 413.042, 413.400, 414.025, 414.736, 414.740, 414.665, 443.004, 414.435, and 414.665, amending the definitions of Peer Support Specialist and Peer Wellness Specialist and adding Family Support Specialist and Youth Support Specialist.

CHANGES TO RULE:

410-180-0375

Birth Doula Certification Curriculum Standards ¶

(1) All birth doulas seeking certification with the state shall complete a minimum of 40 contact hours from an Authority approved training program that includes the following:¶

(a) A minimum of 28 in-person contact hours addressing the core curricula topics set forth in section (2) of this rule through an Authority approved training program for birth doulas or through another training program provided by a birth doula certification organization;¶

(b) Six contact hours in cultural competency training; and¶

(c) Six contact hours in one or more of the following topics as they relate to doula care:¶

(A) Inter-professional collaboration;¶

(B) Health Insurance Portability and Accountability Act (HIPAA) compliance; and¶

(C) Trauma-informed care.¶

(2) All core curriculum for training birth doulas shall, at a minimum, introduce students to the key principles of the following topics:¶

(a) Anatomy and physiology of labor, birth, maternal postpartum, neonatal transition, and breastfeeding;¶

(b) Labor coping strategies, comfort measures, and non-pharmacological techniques for pain management;¶

(c) The reasons for, procedures of, and risks and benefits of common medical interventions, medications, and Cesarean birth;¶

(d) Emotional and psychosocial support of women and their support team;¶

(e) Birth doula scope of practice, standards of practice, and basic ethical principles;¶

(f) The role of the doula with members of the birth team;¶

(g) Communication skills, including active listening, cross-cultural communication, and inter-professional communication;¶

(h) Self-advocacy and empowerment techniques;¶

(i) Breastfeeding support measures;¶

(j) Postpartum support measures for the mother and baby relationship;¶

(k) Perinatal mental health;¶

(l) Family adjustment and dynamics;¶

(m) Evidence-informed educational and informational strategies;¶

(n) Community resource referrals;¶

(o) Professional conduct, including relationship boundaries and maintaining confidentiality; and¶

(p) Self-care.

Statutory/Other Authority: ORS 413.042, 414.635, 414.665

Statutes/Other Implemented: ORS 414.635, 414.665

AMEND: 410-180-0380

RULE SUMMARY: The Authority regulates who is eligible to be on the Traditional Health Worker registry. The Authority is amending 410-180 to ensure compliance with changes made during the 2017 legislative session to ORS 413.042, 413.400, 414.025, 414.736, 414.740, 414.665, 443.004, 414.435, and 414.665, amending the definitions of Peer Support Specialist and Peer Wellness Specialist and adding Family Support Specialist and Youth Support Specialist.

CHANGES TO RULE:

410-180-0380

THW and Training Program Complaints and Investigations ¶¶

(1) Any individual may make a complaint to the Authority, verbally or in writing about the following:¶¶

(a) Care or services provided by a certified THW, including an applicant for the THW registry;¶¶

(b) Violation of statutes or these rules by an approved THW training program.¶¶

(2) The identity of an individual making a complaint shall be kept confidential to the extent allowed by law but may be disclosed as necessary to conduct the investigation; this may include disclosing the complainant's identity to the THW's employer.¶¶

(3) If a complaint involves an allegation of criminal conduct or conduct within the jurisdiction of another local, state, or federal agency, the Authority shall refer the matter to the appropriate agency.¶¶

(4) The Authority shall investigate complaints and take any actions that are necessary for resolution. An investigation may include but is not limited to:¶¶

(a) Interviews of the complainant, program management or staff, and students;¶¶

(b) Interviews of the complainant, caregivers, THW clients, client representatives, client family members, witnesses, and employer management and staff;¶¶

(c) On-site observations of the training program, the client, THW performance, and client environment; and¶¶

(d) Review of documents and records.¶¶

(5) The Authority may utilize complaint and investigation findings to identify trends and potential areas for quality improvement.¶¶

(6) The results of complaint investigation may be published to the public by the Authority.

Statutory/Other Authority: ORS 413.042, 414.635, 414.665

Statutes/Other Implemented: ORS 414.635, 414.665