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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

Process for Traditional Health Worker Training, Certification, Registry
Enrollment and Training Program Criteria

Not more than 15 words

RULEMAKING ACTION

ADOPT:

410-180-0300, 410-180-0305, 410-180-0310, 410-180-0315, 410-180-0320, 410-180-0327, 410-180-0340, 410-180-0345, 410-180-0350, 410-180-0355, 410-180-0370, 410-180-0375, 410-180-0380

AMEND:

REPEAL:

410-180-0300 (T), 410-180-0305 (T), 410-180-0310 (T), 410-180-0315 (T), 410-180-0320 (T), 410-180-0327 (T), 410-180-0340 (T), 410-180-0345 (T), 410-180-0350 (T), 410-180-0355 (T), 410-180-0370 (T), 410-180-0375 (T), 410-180-0380 (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 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 regulated or certified by this state. These rules establish:

The competency requirements for each THW type, including Community Health Workers, Peer Wellness Specialists, Personal Health Navigators, Peer Support Specialists, and Birth Doulas;

- Eligibility requirements, curriculum guidelines and procedures for Authority approval of training programs, including a process for temporary waivers;
- Eligibility requirements and procedures for THW certification and provisional certification; and
- A THW registry maintained by the Authority.

These rules set forth the requirements for training programs in developing curricula that meet the Authority's requirements to certify THWs. Individuals who successfully complete the certification process set forth in these rules will be eligible for Medicaid reimbursement for their services. These rules also establish a registry of THWs whom CCOs may employ to meet the requirement of providing for their members, THW's including peer wellness specialists, personal health navigators, community health workers, peer support specialists, and birth doulas as part of the member's care team to provide assistance that is culturally and linguistically appropriate. These rules also set forth provisional THW certification requirements.

 Richelle Borden 12/3/13

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NEW RULES

DIVISION 180

Traditional Health Workers

410-180-0300

Purpose

The purpose of these rules is to establish criteria, description, and training requirements for Traditional Health Workers (THW) which include community health workers, personal health navigators, peer wellness specialists and other health care workers not regulated or certified by the state of Oregon. These rules set forth the procedures for THW certification and enrollment in a registry maintained by the Authority. These rules also establish curriculum guidelines for training programs seeking to train THWs and the procedures for Authority approval of training programs.

Stat. Auth.: ORS 413.042, 414.635 & 414.665

Stats. Implemented: ORS 414.635 & 414.665

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 Approved Training Program" (Training program) means an organization that has a training program with curriculum that meets Authority standards for one or more types of THWs and has been approved by the Authority to train those types of THWs.
- (3) "Birth 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) "Certified Traditional Health Worker" means an individual who has successfully completed a training program as required by these rules, and has applied for and been certified by the Authority for one of the THW types; or a grandfathered THW who has been certified by the Authority.
- (5) "Community Based Organization" (CBO) means a public or private nonprofit organization that is representative of a community or significant segments of a community, which may be located within or in close proximity to the community it serves; and is engaged in meeting that community's needs in the areas of social, human, or health services.

- (6) "Community Health Worker" has the meaning given that term in ORS 414.025.
- (7) "Contact Hour" means a training hour, which includes classroom, group or distance learning. 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) "Equivalency" means an individual has fulfilled the requirements of a course or combination of courses, by completing a relatively equivalent course.
- (10) "Grandfathered THW" means an individual who has been certified by the Authority as an THW as a result of their prior THW work experience and fulfillment of all additional requirements for grandfathering as set forth in these rules.
- (11) "Incumbent Worker Training" means training offered by an approved training program for individuals eligible for grandfathering that assesses for and addresses any gaps in THW competencies.
- (12) "Peer" means any individual who has similar life experience, either as a current or former recipient of addictions or mental health services, or as a family member of an individual who is a current or former recipient of addictions or mental health services.
- (13) "Peer Support Specialist" means a person providing peer delivered services to an individual or family member with similar life experience. A peer support specialist must be:
- (a) A self-identified person currently or formerly receiving mental health services; or
 - (b) A self-identified person in recovery from an addiction disorder, who meets the abstinence requirements for recovering staff in alcohol and other drug treatment programs;
 - (c) A self-identified person in recovery from problem gambling; or
 - (d) A family member of an individual who is a current or former recipient of addictions or mental health services.
- (14) "Peer Wellness Specialist" has the meaning given that term in ORS 414.025.
- (15) "Personal Health Navigator" has the meaning given that term in ORS 414.025.
- (16) "Provisionally Certified THW" means an individual who has temporary certified status, pursuant to OAR 410-180-0327.
- (17) "Registry" means a list of certified THWs maintained by the Authority.
- (18) "THW Applicant" means an individual who has applied for THW certification.

(19) “Traditional Health Worker” (THW) means a community health worker, peer wellness specialist, personal health navigator, peer support specialist or birth doula.

(20) “Training Program Applicant” means an organization that has applied for Authority approval of its training program and curricula for any of the THW types.

Stat. Auth.: ORS 413.042, 414.635 & 414.665

Stats. Implemented: ORS 414.635 & 414.665

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 must successfully complete all required training offered by a training program for that individual’s THW type.

(2) Individuals who have worked or volunteered in the capacity of a community health worker, peer wellness specialist or personal health navigator in the state of Oregon at least 3000 hours from January 1, 2004 to June 30, 2014 but have not completed a training program are eligible for certification if they successfully complete approved incumbent worker training.

(3) Individuals who have completed some or all of the certification training requirements may receive equivalency for previously completed training. The training program shall determine equivalency requirements.

Stat. Auth.: ORS 413.042, 414.635 & 414.665

Stats. Implemented: ORS 414.635 & 414.665

410-180-0312

Peer Support Specialist Certification Requirements

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

(a) Successfully complete all required training offered by a training program for peer support specialist; or

(b) Be certified by an entity whose qualifications for the certificate includes completion of an Authority approved training program for peer support specialists and a minimum of 20 hours of continuing education every three years.

(2) Individuals who have worked or volunteered in the capacity of a peer support specialist in the state of Oregon at least 2000 hours from January 1, 2004 to June 30, 2014 but have not completed a training program are eligible for certification if they successfully complete an approved incumbent worker training.

Stat. Auth.: ORS 413.042, 414.635 & 414.665
Stats. Implemented: ORS 414.635 & 414.665

410-180-0315

Birth Doula Certification Requirements

To be certified in Oregon as a birth doula, an individual must:

- (1) Successfully complete an approved birth doula training program; or
- (2) Have successfully completed all birth doula training requirements as described in OAR 410-180-0375 through one or a combination of non-approved birth doula training programs and meet the cultural competency course requirements through an approved training program for doulas.

Stat. Auth.: ORS 413.042, 414.635 & 414.665
Stats. Implemented: ORS 414.635 & 414.665

410-180-0320

THW Continuing Education Requirements

- (1) To maintain certification status, all THWs must complete at least 20 hours of continuing education during every three year renewal period.
- (2) Continuing education hours taken in excess of the total number required may not be carried over to the next renewal period.
- (3) The Authority shall award continuing education hours for:
 - (a) Additional THW training offered by a training program; and
 - (b) Any other Authority approved training or event.
- (4) Requests for approval of continuing education may come from the hosting organization or from a certified THW attending the training or event.

Stat. Auth.: ORS 413.042, 414.635 & 414.665
Stats. Implemented: ORS 414.635 & 414.665

410-180-0327

Provisional THW Certification

- (1) Individuals may qualify for provisional certification if:

(a) They are eligible for grandfathering as described in OAR 410-180-0310 and OAR 410-180-0312 but have not yet completed incumbent worker training; or

(b) They have completed or matriculated in a non-approved training program between February 4, 2010 and August 2, 2013 provided:

(A) The individual successfully completes the training program; and

(B) The training program includes a minimum of 40 contact hours of training.

(2) Individuals seeking provisional certification must:

(a) Be at least 18 years of age;

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

(c) Submit one of the following:

(A) 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; or

(B) 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; or

(C) Written documentation of successful completion of a training program that includes at minimum 40 contact hours of training.

(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) If the Authority determines that an applicant has met all provisional certification requirements, the Authority shall notify the applicant in writing granting provisional certification.

(5) Provisionally certified THWs may become certified if:

(a) The individual successfully completes remaining training requirements or incumbent worker training from a training program within one year from the provisional certification date; or

(b) The non-approved training program completed by the provisionally certified THW becomes Authority approved.

(6) Provisionally certified THWs seeking certification must comply with OAR 410-180-0325.

(7) The Authority shall revoke provisional certification if the individual does not complete the remaining training requirements within one year from the date of provisional certification.

Stat. Auth.: ORS 413.042, 414.635 & 414.665
Stats. Implemented: ORS 414.635 & 414.665

410-180-0340

Standards of Professional Conduct

(1) A certified or provisionally certified THW, pursuant to OAR 410-180-0305 must comply with Standards of Professional Conduct set forth in this rule. The violation of the standards may result in the denial of an application for certification or suspension or revocation of certification.

(2) THWs must:

(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 with community members are based on understanding and implementing the core values of caring, respect, compassion, appropriate boundaries, and appropriate use of personal power;

(d) Develop positive collaborative partnerships with community members, colleagues, other health care providers, and the community 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 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 when planning and providing services;

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

(g) Support self-determination and advocate for the needs of community members in a culturally competent, trauma informed manner

(h) Base decisions and actions in support of empowerment and respect for community member's culture and self-defined health care goals using sound ethical reasoning and current principles of practice;

(i) Maintain individual confidentiality; and

- (j) Recognize and protect an individual's rights as described in section (3) of this rule.
- (3) Individuals being served have the right to:
 - (a) Be treated with dignity and respect;
 - (b) Be free from theft, damage, or misuse of personal property;
 - (c) Be free from neglect of care, verbal, mental, emotional, physical, and sexual abuse;
 - (d) Be free from financial exploitation;
 - (e) Be free from physical restraints;
 - (f) Voice grievances or complaints regarding services or any other issue without discrimination or reprisal for exercising their rights;
 - (g) Be free from discrimination in regard to race, color, national origin, gender, sexual orientation, or religion; and
 - (h) Have their information and records confidentially maintained.

Stat. Auth.: ORS 413.042, 414.635 & 414.665
Stats. Implemented: ORS 414.635 & 414.665

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 ORS 414.665 or 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.

Stat. Auth.: ORS 413.042, 414.635 & 414.665
Stats. Implemented: ORS 414.635 & 414.665

410-180-0350

Training Program Requirements

- (1) All training programs must:
 - (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) Demonstrate active efforts to involve experienced THWs in developing and teaching the core curriculum;
- (d) Demonstrate active efforts to collaborate with at least one culturally diverse CBO;
- (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, group and distance learning;
- (g) Demonstrate efforts to make training inclusive and accessible to individuals with different learning styles, education backgrounds, and student needs;
- (h) Demonstrate efforts to remove barriers to enrollment for students;
- (i) Demonstrate inclusion of cognitive and practical examinations to evaluate and document the acquisition of knowledge and mastery of skills by the individual trained. This examination:
 - (A) May be any combination of written, oral, or practical competency tests; and
 - (B) Must assess THW competencies covered in the curriculum.
- (j) Demonstrate the inclusion of a method or process for the individual trained to evaluate and give feedback on the training experience;
- (k) Maintain an accurate record of each individual'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 completed the training program when those individuals apply for certification and registry enrollment; and
- (m) Agree to issue a written letter of completion to all successful training program graduates.
- (2) All training programs that provide incumbent worker training for individuals eligible to grandfather into the NTHW program must also:
 - (a) Require students to submit an Authority prescribed competency evaluation form from any previous employer, THW coach or supervisor or volunteer coordinator or supervisor for whom THW services have been provided in the five years prior to the date of application

(b) Include a pre-course assessment to evaluate student's current level of knowledge and skill;
and

(c) Provide training that addresses gaps in competencies identified in the employer competency evaluation and pre-course assessment.

(3) Training program applicants must submit an application to the Authority. At a minimum, the training program application must include:

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

(b) Syllabus and course materials that demonstrate curriculum requirements are met; language per comment #23 above.

(c) Indication of the training type to be offered:

(A) Curriculum for community health workers, peer wellness specialists, peer support specialists, personal health navigators, and birth doulas; and

(B) Additional curriculum for:

(i) Community health workers;

(ii) Peer wellness specialists

(iii) Peer support specialists; and

(iv) Incumbent worker training

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

(e) A description of the method of final examination as described in section (1) (h);

(f) A list of instructors, including experienced THWs if available;

(g) A description of the geographic area served;

(h) If the applicant is not a CBO, a signed agreement with description of the partnership with a CBO;

(i) 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

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

Stat. Auth.: ORS 413.042, 414.635 & 414.665
Stats. Implemented: ORS 414.635 & 414.665

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 requesting a paper copy from the Oregon Health Authority Office of Equity and Inclusion.
- (2) Training program applicants must 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. The notice shall specify the date by which additional materials must be submitted. Unless the Authority grants an extension, if the applicant does not respond within the specified time, the Authority shall return the application to the applicant and take no further action.
- (4) If the Authority determines that an applicant has met all training program requirements, the Authority shall send written notice of program approval. The written notice of Authority approval shall be made available to any student or partnering organization that requests a copy.
- (5) The Authority shall maintain a list of training programs. The list shall be available to the public.
- (6) The training program must apply to renew its approval status every three years.
 - (a) Renewal applications are available on the THW program webpage or by requesting a paper copy from the Oregon Health Authority Office of Equity and Inclusion.
 - (b) Training programs must complete and submit the renewal application no less than six months prior to the expiration of the current approval period.
 - (c) At a minimum, training programs seeking renewal shall report:
 - (A) Summary of any proposed changes to the curriculum;
 - (B) Number of students trained in the three year approval period
- (7) Training programs that fail to submit a renewal application pursuant to section (6) (b) of this rule must submit a new application and may not apply for renewal of its current approval.
- (8) 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.

(9) During the three year approval period, any change made to a training program shall be reported to the Authority within 30 days of the decision to make the change.

(a) Changes that must be reported include:

(A) Changes to the training program director or primary contact;

(B) Changes to the teaching methodology;

(C) Changes to the curriculum; and

(D) Any other change that is not consistent with or not represented in the initial application for approval.

(b) 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.

(c) The Authority may request additional information and justification for the reported change.

(d) 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.

(10) A training program applicant or approved training program may request a temporary waiver from a requirement in these rules. A request for a waiver must be:

(a) Submitted to the Authority in writing;

(b) Identify the specific rule for which a waiver is requested;

(c) Identify the special circumstances relied upon 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.

(11) If the Authority determines that the applicant or program has satisfied the conditions of this rule, the Authority may grant a waiver.

(12) An applicant or an approved training program may not act on or implement a waiver until it has received written approval from the Authority.

(13) AMH peer support specialist training programs approved prior to August 2, 2013 may remain approved if:

(a) The program currently provides a minimum of 40 hours of training; or

(b) The program increases its curriculum to a minimum of 40 hours of training.

(c) The program must submit to the Authority a peer support specialist program renewal application by October 2, 2013

(A) The renewal application and waiver request is available on THW program webpage or by requesting a paper copy from the Oregon Health Authority Office of Equity and Inclusion;

(B) If the renewal application is not submitted before October 2, 2013, the program must apply as a new training program.

Stat. Auth.: ORS 413.042, 414.635 & 414.665

Stats. Implemented: ORS 414.635 & 414.665

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 ORS 414.665 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. The request for reconsideration and a meeting, if requested, must be submitted in writing within 30 days of the date the Authority mailed the written decision of denial, suspension or revocation. The request must contain a detailed statement with supporting documentation explaining why the requestor believes the Authority's decision is in error. The Authority shall issue a written decision on reconsideration following review of the materials submitted by the applicant or training program and a meeting with the applicant or training program, if applicable.

Stat. Auth.: ORS 413.042, 414.635 & 414.665

Stats. Implemented: ORS 414.635 & 414.665

410-180-0370

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

(1) All Authority approved curricula used to train community health workers, peer wellness specialists and personal health navigators must:

(a) Include a minimum of 80 contact hours, which addresses the core curricula topics set forth in section (2) of this rule and any other additional curriculum topics specific to the type of worker being trained;

(b) Provide training that addresses all the major roles and core competencies of community health workers, peer wellness specialists and personal health navigators in Oregon as listed and defined in Oregon Health Policy Board's Report "The Role of Non-Traditional Health Workers in Oregon's Health Care System" incorporated by reference.

(<http://www.oregon.gov/oha/oei/docs/nthw-report-120106.pdf>, January 2012)

(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 Skills, including cross-cultural communication, active listening, and group and family dynamics;

(c) Empowerment Techniques;

(d) Knowledge of Community Resources;

(e) Cultural Competency and Cross Cultural Relationships, including bridging clinical and community cultures;

(f) Conflict Identification and Problem Solving;

(g) Conducting Individual Strengths and Needs Based Assessments;

(h) Advocacy Skills;

(i) Ethical Responsibilities in a Multicultural Context;

(j) Legal Responsibilities;

(k) Crisis Identification and Problem-Solving;

(l) Professional Conduct, including culturally appropriate relationship boundaries and maintaining confidentiality;

(m) Navigating Public and Private Health and Human Service Systems, including state, regional, and local;

- (n) Working with Caregivers, Families, and Support Systems, including paid care workers;
 - (o) Trauma-Informed Care, including screening and assessment, recovery from trauma, 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 of 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 and Documentation and use of HIT;
 - (w) Introduction to Disease Processes, including chronic diseases, mental health, tobacco cessation, and addictions (warning signs, basic symptoms, when to seek medical help);
 - (x) Health Across the Life Span;
 - (y) Adult Learning Principles - Teaching and Coaching;
 - (z) Stages of Change;
 - (aa) Health Promotion Best Practices; and
 - (bb) Health Literacy Issues.
- (3) In addition to the core curriculum set forth in section (2), 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) 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 of Peer Support Specialists; and

(c) Recovery, Resilience and Wellness.

Stat. Auth.: ORS 413.042, 414.635 & 414.665

Stats. Implemented: ORS 414.635 & 414.665

410-180-0375

Birth Doula Certification Curriculum Standards

(1) All Authority approved curricula used to train birth doulas must include a minimum of the following:

(a) 16 contact hours in Labor Support training;

(b) 4 contact hours in Breastfeeding training;

(c) 12 contact hours in Childbirth Education; and

(d) 6 contact hours in Cultural Competency training.

(2) Authority approved birth doula training curricula must also incorporate the following components and students must:

(a) Be CPR-certified for children and adults;

- (b) Read five books from an Authority approved reading list;
- (c) Write a 500 to 1000 word essay on the value of labor support;
- (d) Create a community resource list;
- (e) Submit evaluations from work with three families and one provider;
- (f) Attend at least three births and three postpartum visits; and
- (g) Have a valid food handler's permit.

Stat. Auth.: ORS 413.042, 414.635 & 414.665
Stats. Implemented: ORS 414.635 & 414.665

410-180-0380

THW and Training Program Complaints and Investigations

- (1) Any individual may make a complaint verbally or in writing to the Authority regarding an allegation as to the care or services provided by a certified or provisionally certified THW pursuant to OAR 410-180-0305 or that an approved training program has violated THW statutes or these rules.
- (2) The identity of an individual making a complaint shall be kept confidential to the extent permitted by law but may be disclosed as necessary to conduct the investigation and may include but is not limited to disclosing the complainant's identity to the THW's employer.
- (3) If a complaint involves an allegation of criminal conduct or that is 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 other students; or
 - (b) Interviews of the complainant, caregivers, clients, client's representative, client's family members, and 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.

(e) Utilize complaint and investigation findings to identify trends and potential areas for quality improvement.

Stat. Auth.: ORS 413.042, 414.635 & 414.665

Stats. Implemented: ORS 414.635 & 414.665