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§13–3701.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Advisory Committee” means the State Community Health Worker Advisory Committee.
- (c) “Community health worker” means a frontline public health worker who:
  - (1) Is a trusted member of, or has an unusually close understanding of, the community being served;
  - (2) Serves as a liaison to, link to, or intermediary between health and social services and the community to:
    - (i) Facilitate access to services; and
    - (ii) Improve the quality and cultural competence of service delivery; and
  - (3) Builds individual and community capacity by increasing health knowledge and self-sufficiency through a range of activities, including:
    - (i) Outreach;
    - (ii) Community education;
    - (iii) The provision of information to support individuals in the community;
    - (iv) Social support; and
    - (v) Advocacy.
- (d) “Fund” means the State Community Health Workers Fund established under § 13–3707 of this subtitle.

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§13-3702.

- (a) There is a State Community Health Worker Advisory Committee.
- (b) The Advisory Committee consists of the following members:
  - (1) The Secretary of Health, or the Secretary's designee; and
  - (2) The following members appointed by the Governor, with the advice and consent of the Senate:
    - (i) Nine community health workers;
    - (ii) One registered nurse with experience in community health;
    - (iii) One licensed social worker with experience in community health;
    - (iv) One representative of a community health worker training organization;
    - (v) One representative of the Maryland Public Health Association;
    - (vi) One representative of a community-based employer of community health workers;
    - (vii) One member of the public who is familiar with the services of community health workers;
    - (viii) One representative of the Maryland Association of County Health Officers;
    - (ix) One representative of the Maryland Hospital Association; and
    - (x) One representative of the Community Behavioral Health Association of Maryland.

- (c) Each Advisory Committee member must be a resident of the State.
- (d)
  - (1) The term of an appointed member is 4 years.
  - (2) The terms of the appointed members are staggered as required by the terms provided for the appointed members of the Advisory Committee on October 1, 2018.
  - (3) At the end of a term, an appointed member continues to serve until a successor is appointed and qualifies.
  - (4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.
  - (5) An appointed member may not serve more than two consecutive full terms.
  - (6) To the extent practicable, the Governor shall fill any vacancy on the Advisory Committee within 60 days after the date of the vacancy.
- (e)
  - (1) The Governor may remove an appointed member for incompetence, misconduct, incapacity, or neglect of duty.
  - (2) On the recommendation of the Secretary, the Governor may remove an appointed member whom the Secretary finds to have been absent from two successive Advisory Committee meetings without adequate reason.

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§13–3703.

(a) (1) The Secretary of Health, or the Secretary's designee, shall serve as the chair of the Advisory Committee.

(2) (i) From among its appointed members, the Advisory Committee annually shall elect a vice chair and a secretary.

(ii) The Advisory Committee shall determine:

1. The manner of election of the vice chair and the secretary; and

2. The duties of each officer.

(b) A majority of the members then serving on the Advisory Committee is a quorum.

(c) The Advisory Committee shall meet at least two times each year, at the times and places that the Advisory Committee determines, to make recommendations regarding the items listed under § 13–3704 of this subtitle.

(d) A member of the Advisory Committee is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(e) The Department shall provide staff support and technical assistance for the Advisory Committee.

(f) Written materials used to conduct the business of the Advisory Committee shall be provided in the preferred language of the Advisory Committee members, as necessary.

(g) Training or educational opportunities shall be made available to Advisory Committee members on the formal and informal processes that will be used to conduct the business of the Advisory Committee.

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§13-3704.

After seeking input from the Department of Labor, Licensing, and Regulation, the Maryland Higher Education Commission, the Maryland Rural Health Association, the Maryland Academy of Nutrition and Dietetics, the Maryland State Dental Association, community and hospital employers of community health workers, and institutions of postsecondary education with programs in nursing, social work, and dietetics, the Advisory Committee shall advise the Department on:

- (1) Community health worker training programs, including tiers of training;
- (2) Fees for the issuance and renewal of certificates and other services;
- (3) Grandfathering provisions;
- (4) Criteria for the denial of a certification application, reprimand of a certificate holder, placing a certificate holder on probation, or suspension or revocation of a certificate;
- (5) Hearing procedures before the Department takes any disciplinary action listed under item (4) of this section;
- (6) Appeal procedures for a person aggrieved by a decision of the Department;
- (7) Criteria for the reinstatement of a suspended or revoked certificate;
- (8) Penalties for violations of this subtitle; and
- (9) The appropriate term of a certificate and renewal procedures.

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§13-3705.

(a) (1) (i) Subject to subparagraph (ii) of this paragraph, a certified community health worker training program must be accredited by the Department before operating in the State.

(ii) A certified community health worker training program in operation on October 1, 2018, may continue to operate until the deadline established by the Department under paragraph (3)(i)2 of this subsection.

(iii) An apprenticeship program registered with the Department of Labor, Licensing, and Regulation may be accredited by the Department as a certified community health worker training program.

(2) The Department, working in collaboration with the Advisory Committee, shall adopt regulations establishing a procedure for accrediting community health worker training programs.

(3) (i) The regulations adopted under this subsection shall include:

1. A deadline before which certified community health worker training programs in operation on October 1, 2018, must apply for accreditation; and

2. A deadline before which the Department will make a decision regarding accreditation applications.

(ii) The Department shall consult with community health worker training programs in establishing the time frames required under this paragraph.

(4) The regulations adopted under this subsection shall include:

(i) A procedure for reviewing a certified community health worker training program's application;

(ii) Curriculum requirements;

(iii) A process through which an individual working as a community health worker on October 1, 2018, and who already possesses the knowledge taught in a community health worker training program accredited by the Department under this section, may be exempted from the training required under § 13–3606(b)(1) of this subtitle;

(iv) Requirements for periodic review of an accredited certified community health worker training program;

(v) A process by which the Department shall notify a certified community health worker training program in operation on October 1, 2018, of any changes needed to comply with the Department’s accreditation requirements;

(vi) A reasonable deadline before which a certified community health worker training program in operation on October 1, 2018, is required to comply with the Department’s accreditation requirements; and

(vii) A process by which the Department may revoke a certified community health worker training program’s accreditation that allows for an adequate hearing and chance for appeal.

(b) The Department, working in collaboration with the Advisory Committee, shall:

(1) Adopt initial regulations for the certification of community health workers that establish:

(i) That any individual who completes a community health worker training program accredited by the Department under subsection (a) of this section is a qualified community health worker applicant; and

(ii) An initial fee for the certification of community health workers, not to exceed \$75, which shall be adjusted as advised by the Advisory Committee;

(2) Keep a current record of all certified community health workers;

(3) Collect and account for fees provided for under this subtitle;

(4) Pay all necessary expenses associated with certifying community health workers in accordance with the State budget;

(5) Keep a complete record of proceedings relating to certified community health workers; and

(6) Maintain a list of certified community health workers on its website to allow employers and consumers to verify the certification status of community health workers.

(c) The Department may adopt regulations on the procedures for:

(1) Denying a certification application;

(2) Suspending and revoking certificates;

(3) Renewing certificates; and

(4) Otherwise regulating the certification of community health workers.

(d) The Department may adopt any additional regulations recommended by the Advisory Committee for the certification of community health workers.

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§13–3706.

(a) The Department may certify an individual to practice as a community health worker in the State.

(b) To qualify for certification, an applicant shall:

(1) (i) Have completed a community health worker training program accredited by the Department under § 13–3705 of this subtitle; or

(ii) Be exempted by the Department from the training required under item (i) of this item; and

(2) Meet any other requirements established by the Department.

(c) To apply for certification as a community health worker, an applicant shall:

(1) Submit an application to the Department on the form that the Department requires; and

(2) Pay any fee and submit any additional materials required by the Department.

(d) The Department shall issue a certificate to any applicant who meets the requirements of subsection (b) of this section.

(e) The Department shall include on each certificate that the Department issues:

(1) The full name of the certificate holder;

(2) The dates of issuance and expiration;

(3) A serial number; and

(4) The signature of the Department's representative.

(f) (1) The Department shall establish a deadline after which an individual must be certified under this subtitle to make representations to the public that the individual is a certified community health worker.

(2) On or after the date set under paragraph (1) of this subsection, unless certified as a community health worker under this subtitle, an individual may not represent to the public by title that the individual is certified as a community health worker.

(3) An individual who violates paragraph (2) of this subsection is subject to a penalty determined and collected by the Department.

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§13-3707.

- (a) There is a State Community Health Workers Fund.
- (b) (1) The Department may set fees as advised by the Advisory Committee.
  - (2) Funds to cover the expenses of the Department relating to the certification of community health workers shall be generated by fees set under this subtitle.
- (c) (1) The Department shall remit all fees collected under this subtitle to the Comptroller.
  - (2) The Comptroller shall distribute the fees to the Fund.
- (d) (1) The Fund shall be used to cover the actual documented direct and indirect costs of fulfilling the statutory and regulatory duties of the Department as provided under this subtitle.
  - (2) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.
    - (3) Any unspent portion of the Fund may not be transferred or revert to the General Fund but shall remain in the Fund to be used for the purposes specified in this subtitle.
    - (4) No other State money may be used to support the Fund.
- (e) (1) A designee of the Department shall administer the Fund.
  - (2) Money in the Fund may be expended only for any lawful purpose authorized under this subtitle.

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§13-3708.

A person shall have the immunity from liability described in § 5-702 of the Courts Article for giving information to the Department or the Advisory Committee or otherwise participating in activities of the Department or the Advisory Committee relating to community health workers.

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§13-3709.

This subtitle may be cited as the Maryland Community Health Workers Act.

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