

**Adopt Plc 2000 to read as follows:**

## CHAPTER Plc 2000 VOLUNTARY CERTIFICATION OF COMMUNITY HEALTH WORKERS

Statutory Authority: RSA 326-N:3

## PART Plc 2001 PURPOSE; APPLICABILITY; NOTIFICATIONS; INCORPORATED DEFINITIONS

Plc 2001.01 Purpose. The purpose of this chapter is to implement RSA 326-N relative to regulating community health workers who seek voluntary certification, by establishing requirements for:

- (a) Obtaining and renewing a certificate to practice as a community health worker in New Hampshire;
- (b) Reobtaining certification as a community health worker after expiration, suspension, or revocation of certification; and
- (c) Regulating the practice of certified community health workers, including ethical and professional standards required to be met by certificants.

Plc 2001.02 Applicability. This chapter shall apply to any individual who chooses to obtain voluntary certification to practice as a certified community health worker in New Hampshire.

Plc 2001.03 Notifications; Issuance of Certifications. The office of professional licensure and certification (OPLC) shall send all notifications to applicants and certificants and all certifications issued pursuant to this chapter in accordance with Plc 301.03.

Plc 2001.04 Definitions Incorporated. All terms used in these rules relative to procedures, applications, inspections, and fees that are defined in Plc 102, Plc 202, Plc 302, Plc 402, or Plc 1000 shall have the meaning specified therein.

## PART Plc 2002 CHAPTER-SPECIFIC DEFINITIONS

Plc 2002.01 “Applicant” means “applicant” as defined in RSA 326-N:1, I, reprinted in Appendix B.

Plc 2002.02 “Approved training organization” means an organization with demonstrated experience in training community health workers that has been approved to offer community health worker training, as listed in Plc 2003.02.

Plc 2002.03 “Certificate” means “certificate” as defined in RSA 326-N:1, II, reprinted in Appendix B.

Plc 2002.04 “Certification” means “certification” as defined in RSA 326-N:1, III, reprinted in Appendix B.

Plc 2002.05 “Certified community health worker” means “Certified community health worker” as defined in RSA 326-N:1, IV, reprinted in Appendix B. The term includes “certificant”.

Plc 2002.06 “Community health worker” means “community health worker” as defined in RSA 326-N:1, VI, reprinted in Appendix B.

Plc 2002.07 “Continuing education credit” means one hour of continuing education.

Plc 2002.08 “Telemedicine” means “telemedicine” as defined in RSA 326-N:1, X, reprinted in Appendix B.

## PART Plc 2003 INITIAL CERTIFICATION

Plc 2003.01 Eligibility for Initial Certification as a Community Health Worker. Any individual not currently or previously certified as a community health worker who wishes to be voluntary certified as a community health worker shall:

- (a) Be at least 18 years of age;
- (b) Have obtained a high school diploma or have passed a test that resulted in the receipt of a certificate of high school equivalency; and
- (c) Have successfully completed training by an approved training organization in each of the following core competencies:

- (1) Communication skills;
- (2) Interpersonal and relationship-building skills;
- (3) Service coordination and navigation skills;
- (4) Education and facilitation skills;
- (5) Advocacy skills;
- (6) Building individual and community capacity;
- (7) Individual and community assessment;
- (8) Outreach skills;
- (9) Professional skills and conduct;
- (10) Evaluation and research skills; and
- (11) Knowledge of social determinants of health and cultural competency and the public health structure.

Plc 2003.02 Approved Training Organizations.

(a) The training required by Plc 2003.01(c) shall be training offered by any of the following approved training organizations:

- (1) North Country Health Consortium, available at <https://nchcnh.org>;
- (2) Southern New Hampshire Area Health Education Center, available at <https://www.snhahec.org/>; or
- (3) CHW Training, available at <https://chwtraining.org/>.

(b) An applicant who has received training from an organization not listed in (a), above, may request a waiver under Plc 211 to allow the alternative organization's training to be accepted. The executive director shall grant the requested waiver if the applicant demonstrates that:

- (1) The alternative organization has expertise in CHW training that is at least equivalent to that of the listed approved training organizations; or
- (2) The alternative organization's training is accepted by at least 10 other U.S. jurisdictions.

Plc 2003.03 Application for Initial Voluntary Certification.

- (a) An individual who is not already certified as a community health worker in New Hampshire may file an application for an initial certification in accordance with this section.
- (b) The applicant shall submit the following to the licensing bureau:
- (1) A completed “Universal Application for Initial License” dated April 2024, that provides the information required by Plc 304.03 and is signed and attested to as specified in Plc 304.05;
  - (2) The documentation specified in Plc 304.04, as applicable; and
  - (3) The application processing and licensing fee specified in Plc 1002, provided if no application processing and licensing fee is specified in Plc 1002, no fee shall be charged.

Plc 2003.04 Processing of Applications for Initial Voluntary Certification; Decisions.

- (a) Within 30 days of receipt of an application for initial voluntary certification submitted pursuant to Plc 2003.03, the licensing bureau shall process the application as provided in Plc 304.06.
- (b) The application shall be subject to the abandonment provisions of Plc 304.06(h) and the withdrawal provisions of Plc 304.07.
- (c) After determining that an application is complete, the licensing bureau shall review the application against the criteria listed in (d), below, and notify the applicant of its decision in accordance with Plc 304.08 and Plc 304.09.
- (d) The licensing bureau shall approve an application for initial certification and issue a certification if the applicant:
- (1) Meets the qualifications stated in Plc 2003.01;
  - (2) Has complied with Plc 2003.02;
  - (3) Has not answered “yes” to any of the background and character questions in Plc 304.03(e) or has provided an explanation of each “yes” answer pursuant to Plc 304.04 demonstrating that similar circumstances are not likely to arise in New Hampshire; and
  - (4) No information has been submitted that would support a finding that the applicant has engaged in any of the conduct listed in RSA 326-N:5, reprinted in Appendix B.

Plc 2003.05 Challenging a Denial of Initial Voluntary Certification. An applicant who wishes to challenge the denial of an application for initial certification shall do so as provided in Plc 304.10.

Plc 2003.06 Initial Voluntary Certification: Issuance and Duration.

- (a) Initial certifications shall be issued in accordance with Plc 304.11.
- (b) Initial certifications shall be valid as provided in Plc 304.12.

Plc 2003.07 Facilitated Certification for Active Duty Military and Military Spouses. An applicant for certification who is on active military duty or who is a military spouse shall apply for certification as provided in Plc 304.02(a).

PART Plc 2004 CERTIFICANT OBLIGATIONS

Plc 2004.01 Certificant Obligations to Notify, Display Certification.

- (a) Each certificant shall:

- (1) Notify the licensing bureau within 10 working days when a change of name occurs; and
- (2) Update the OPLC's records within 10 working days when a change of personal contact information occurs.

(b) As required by RSA 326-N:4, a certified community health worker shall conspicuously display the certification in the principal place of business.

(c) Each certificant shall know, and have available in the certificant's office or other place of business, information regarding how complaints can be filed with the OPLC.

(d) Each certificant shall inform the licensing bureau within 10 working days of any of the circumstances identified in Plc 307.02(c).

Plc 2004.02 Certificant Responsibilities for Renewal. Each certificant shall:

- (a) Know when the individual's certification is due to expire; and
- (b) File an application for renewal prior to the expiration of the current certification in accordance with Plc 2005 if the certificant wishes to continue to practice in New Hampshire.

Plc 2004.03 Continuing Education Required.

- (a) Certificants shall complete a minimum of 12 continuing education credits during the 2-year period prior to each renewal of certification.
- (b) The credits shall be earned through any combination of live programming and self-directed study program.
- (c) Continuing education events offered or approved by an approved training organization shall qualify for continuing education credits.

Plc 2004.04 Documentation Requirements; Audits.

- (a) Each certificant shall retain documentation of participating in continuing education programs for the current certification term and the most recent renewal period.
- (b) Upon being notified by the OPLC that an on-line system administered by a third-party organization is available to manage continuing competence compliance, each certificant shall use the on-line system to track and report the completion of continuing education.
- (c) When applying to renew a certification, the applicant shall:
  - (1) Identify each program used to meet the continuing education requirement by name of sponsor, date and length of program, program instructor, and program location;
  - (2) Certify on the renewal application that the applicable continuing education requirements have been met; and
  - (2) Be subject to the audit provisions of Plc 308.04.

#### PART Plc 2005 VOLUNTARY CERTIFICATION RENEWAL AND REINSTATEMENT

Plc 2005.01 Eligibility for Voluntary Certification Renewal. To be eligible for renewal of a certification as a community health worker, an individual shall:

- (a) Have completed the continuing education required by Plc 2004.03;

- (b) Have paid all administrative and civil penalties imposed, if any; and
- (c) Meet the eligibility for renewal criteria specified in Plc 308.02.

Plc 2005.02 Notification of Pending License Expiration.

- (a) At least 60 days prior to the expiration of a certification, the licensing bureau shall notify the certificant in accordance with Plc 308.03.
- (b) A certificant who wishes to renew who does not receive an application or registration code shall contact OPLC customer support at [CustomerSupport@oplc.nh.gov](mailto:CustomerSupport@oplc.nh.gov) to obtain an application or code.
- (c) If an application for renewal is not received by the OPLC prior to the expiration date of the certification, the certification shall be expired.
- (d) An individual whose certification has expired shall not self-represent as a certified community health worker in New Hampshire.
- (e) An individual whose certification has expired who wishes to be reauthorized to practice as a certified community health worker shall apply for recertification in accordance with Plc 2005.07.

Plc 2005.03 Applying for Registration Renewal. A certified community health worker who wishes to renew a certification to practice as a certified community health worker shall submit the following to the licensing bureau:

- (a) A completed “Universal Application to Renew License” dated April 2024, that provides the information required by Plc 308.06 and is signed and attested to as specified in Plc 308.08;
- (b) The information and documentation required by Plc 308.07, as applicable;
- (c) The information and attestation relative to meeting continuing education requirements, as specified in Plc 2004.05(c); and
- (d) The application processing and licensing fee specified in Plc 1002, provided that:
  - (1) An applicant applying to renew as active military or a military spouse shall not pay the application processing and licensing fee; and
  - (2) If no application processing and licensing fee is specified in Plc 1002, then no fee shall be paid.

Plc 2005.04 Processing of Renewal Applications; Decisions.

- (a) The licensing bureau shall process the application as provided in Plc 308.09.
- (b) An applicant may withdraw the application for certification renewal at any time prior to being notified of a decision under Plc 308.11 by proceeding in accordance with Plc 308.10.
- (c) The licensing bureau shall review complete applications, make decisions, and notify applicants in accordance with Plc 308.11.
- (d) The licensing bureau shall issue a renewal certification if the applicant:
  - (1) Has submitted a renewal application in accordance with Plc 2005.03;
  - (2) Demonstrates that the applicant has met the requirements for renewal stated in Plc 2005.01; and

(3) Has not been shown, through an adjudicative proceeding, to have engaged in an act that would result in denial under RSA 326-N:5, reprinted in Appendix B.

Plc 2005.05 Challenging a Denial of Certification Renewal. An applicant who wishes to challenge the denial of an application for certification renewal shall do so as provided in Plc 308.12.

Plc 2005.06 Renewal Certifications: Issuance and Duration.

(a) The OPLC shall issue renewal certifications for certified community health workers in accordance with Plc 308.13(a).

(b) Renewal certifications shall be valid as provided in Plc 308.13(b).

Plc 2005.07 Reobtaining a Certification After Expiration, Suspension, or Revocation. The procedures in Plc 312 shall govern the reobtaining of a certification after expiration, suspension, or revocation.

#### PART Plc 2006 ETHICAL AND PROFESSIONAL STANDARDS

Plc 2006.01 Applicability.

(a) The standards in this part shall apply to each individual who applies to be certified under RSA 326-N or who is voluntarily certified under RSA 326-N.

(b) Violations of these standards shall constitute unprofessional conduct that subjects the violator to disciplinary proceedings pursuant to Plc 311.

Plc 2006.02 Ethical Standards. Reserved

Plc 2006.03 Professional Obligations. Each individual who is subject to this chapter shall:

(a) Comply with RSA 326-N, Plc 300, and Plc 2005;

(b) Comply with any disciplinary or remedial orders issued by the executive director within any time periods specified;

(c) Interact with colleagues and clients with honesty and integrity;

(d) Not misrepresent professional qualifications or credentials;

(e) Cooperate with inspections and with lawful investigations by the executive director;

(f) Treat all individuals with whom the individual interacts in a professional capacity with respect and civility;

(g) Maintain sexual boundaries by:

(1) Refraining from any behavior that exploits the CHW-client relationship in a sexual way; and

(2) Avoiding any behavior that is sexual or sexually demeaning, or that could be reasonably interpreted as such, even when initiated by or consented to by the client or a colleague;

(h) Not engage in hazing or sexual, verbal, or physical harassment of any individual when interacting in a professional capacity; and

(i) Not discriminate based on age, sex, gender identity, race, creed, color, marital status, familial status, physical or mental disability, national origin, or any other class of individuals protected by law.

#### PART Plc 2007 PROCEDURES; WAIVERS

Plc 2007.01 Rules of Practice and Procedure.

(a) The rules in Plc 200 and Plc 311 shall govern:

- (1) The receipt of misconduct complaints and the investigation thereof;
- (2) The conduct of disciplinary hearings and non-disciplinary remedial hearings; and
- (3) The imposition of license conditions.

(b) The rules in Plc 200 shall govern:

- (1) The conduct of all other adjudicative and non-adjudicative proceedings;
- (2) Waivers of rules;
- (3) Voluntary surrender of licenses; and
- (4) Any other procedures not included in this chapter.

**APPENDIX A: STATE STATUTE(S) IMPLEMENTED**

<b>Rule(s)</b>	<b>State Statute(s) Implemented</b>
Plc 2001	RSA 326-N:1-8
Plc 2002	RSA 326-N:1
Plc 2003	RSA 310:4, II; RSA 326-N:4; RSA 326-N:5
Plc 2004	RSA 326-N:3, II
Plc 2005	RSA 310:8, III
Plc 2006	RSA 326-N:3, II
Plc 2007	RSA 326-N:8

**APPENDIX B: STATUTORY TERMS****326-N:1 Definitions. –**

I. "Applicant" means an individual applying to be certified or recertified as a community health worker.

II. "Certificate" means the document issued by the office of professional licensure and certification to qualified applicants for certification as community health workers.

III. "Certification" means the voluntary process by which the office of professional licensure and certification grants recognition and use of a credential to individuals who are eligible to practice as certified community health workers.

IV. "Certified community health worker" means a community health worker to whom the office of professional licensure and certification has issued a certificate to practice as a certified community health worker.

V. "Commissioner" means the commissioner of the department of health and human services.

VI. "Community health worker" means a public health worker who applies an understanding of the experience, language, and culture of the populations that the individual serves and who provides direct services aimed at optimizing individual and family health outcomes, including:

- (a) Informal and motivational counseling and education;
- (b) Interventions to maximize social supports;

- (c) Community health integration services;
- (d) Facilitation of access to health care and social services;
- (e) Health screenings;
- (f) Other services that the commissioner defines by rules adopted under RSA 541-A.

VIII. "Executive director" means the executive director of the office of professional licensure and certification.

IX. "Recertification" means a renewal of certification.

X. "Telemedicine" means the use of audio, video, or other electronic media for the purpose of optimizing individual and family health outcomes.

**Source.** 2024, 289:6, eff. Jan. 1, 2025.

**326-N:5 Suspension; Revocation or Refusal to Issue Certification.** – The executive director may deny the application for a certified community health worker and may suspend or revoke the certification issued pursuant to this chapter or refuse to issue a renewal thereof if it is determined after a hearing that such applicant or certified mental health worker:

- I. Has made a material false statement or concealed a material fact in connection with his or her application for certification;
- II. Has had a certificate issued under this chapter revoked or suspended previously;
- III. Has a criminal conviction for crimes involving fraud or fraudulent practices;
- IV. Has failed to comply with any other provision of this chapter or any rules promulgated by the executive director.

**Source.** 2024, 289:6, eff. Jan. 1, 2025.