

Amend **HB 2610** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 48, Health and Safety Code, is amended to read as follows:

CHAPTER 48. [~~TRAINING AND REGULATION OF~~] PROMOTORAS AND COMMUNITY
HEALTH WORKERS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 48.001. DEFINITIONS. In this chapter:

(1) "Advisory committee" means the Promotora and Community Health Worker Training and Certification Advisory Committee.

(2) "Commission" means the Health and Human Services Commission.

(3) "Commissioner" means the commissioner of state health services.

(4) "Compensation" includes receiving payment or receiving reimbursement for expenses.

(5) "Department" means the Department of State Health Services.

(6) "Executive commissioner" means the executive commissioner of the Health and Human Services Commission.

(7) [~~(2)~~] "Promotora" or "community health worker" means a person who, with or without compensation, provides a liaison between health care providers and patients through activities that may include activities such as assisting in case conferences, providing patient education, making referrals to health and social services, conducting needs assessments, distributing surveys to identify barriers to health care delivery, making home visits, and providing bilingual language services.

SUBCHAPTER B. TRAINING AND REGULATION OF PROMOTORAS AND COMMUNITY
HEALTH WORKERS

Sec. 48.051 [~~48.002~~]. PROMOTORA AND COMMUNITY HEALTH WORKER TRAINING PROGRAM. (a) The department shall establish and operate a program designed to train and educate persons who act as promotoras or community health workers. In establishing the training program, the department, to the extent possible, shall

consider the [~~report and any findings of and implement any~~] applicable recommendations of the advisory committee [~~Promotora Program Development Committee~~].

(b) Participation in a training and education program established under this section is voluntary for a promotora or community health worker who provides services without receiving any compensation and mandatory for a promotora or community health worker who provides services for compensation. The executive commissioner [~~board~~] may adopt rules to exempt a promotora or community health worker from mandatory training who has served for three or more years or who has 1,000 or more hours of experience.

Sec. 48.052 [~~48.003~~]. CERTIFICATION PROGRAM FOR PROMOTORAS AND COMMUNITY HEALTH WORKERS. (a) The department shall establish and operate a certification program for persons who act as promotoras or community health workers. In establishing the program, the executive commissioner [~~board~~] shall adopt rules that provide minimum standards and guidelines, including participation in the training and education program under Section 48.051 [~~48.002~~], for issuance of a certificate to a person under this section. In adopting the minimum standards and guidelines, the executive commissioner [~~board~~] shall consider the [~~report and any findings of and adopt any~~] applicable recommendations of the advisory committee [~~Promotora Program Development Committee~~].

(b) Receipt of a certificate issued under this section may not be a requirement for a person to act as a promotora or community health worker without receiving any compensation and is a requirement for a person to act as a promotora or community health worker for compensation.

(c) The commission [~~Health and Human Services Commission~~] shall require health and human services agencies to use certified promotoras to the extent possible in health outreach and education programs for recipients of medical assistance under Chapter 32, Human Resources Code.

Sec. 48.053. RULES. The executive commissioner shall adopt rules for the administration of this subchapter.

SUBCHAPTER C. MAXIMIZING BENEFITS FROM EMPLOYMENT OF
PROMOTORAS AND COMMUNITY HEALTH WORKERS

Sec. 48.101. PROMOTORA AND COMMUNITY HEALTH WORKER TRAINING AND CERTIFICATION ADVISORY COMMITTEE. (a) The department shall establish a statewide Promotora and Community Health Worker Training and Certification Advisory Committee composed of representatives from relevant entities appointed by the commissioner. The commissioner shall appoint a member of the advisory committee as presiding officer of the advisory committee.

(b) The advisory committee shall:

(1) advise the department and the commission on the implementation of standards, guidelines, and requirements under this chapter that relate to the training and regulation of promotoras and community health workers;

(2) advise the department on matters related to the employment and funding of promotoras and community health workers; and

(3) provide to the department recommendations for a sustainable program for promotoras and community health workers consistent with the purposes of this subchapter.

(c) Chapter 2110, Government Code, applies to the advisory committee.

Sec. 48.102. STUDY. (a) The department, in coordination with the commission, shall:

(1) study the desirability and feasibility of employing promotoras and community health workers to provide publicly and privately funded health care services in this state;

(2) explore methods of funding and reimbursing promotoras and community health workers for the provision of health care services and outline the costs to this state of the funding and reimbursement; and

(3) develop recommendations to:

(A) maximize the employment of and access to promotoras and community health workers; and

(B) expand the funding of and reimbursement for services provided by promotoras and community health workers.

(b) In conducting the study required by Subsection (a), the

department shall consult:

(1) relevant national organizations engaged in the development of community health worker policy;

(2) the advisory committee; and

(3) other individuals or organizations the department considers necessary.

(c) In conducting the study required under Subsection (a), the department shall assess the impact of promotoras and community health workers on increasing the efficiency of, quality of, and access to health care services.

(d) On or before December 1, 2012, the department shall submit to the legislature a report regarding the findings of the study conducted under this section.

(e) This section expires December 31, 2012.

SECTION _____. The heading to Subtitle B, Title 2, Health and Safety Code, is amended to read as follows:

SUBTITLE B. [~~TEXAS DEPARTMENT OF~~] HEALTH PROGRAMS

SECTION _____. Not later than December 31, 2011, the Department of State Health Services shall:

(1) establish the Promotora and Community Health Worker Training and Certification Advisory Committee as required by Section 48.101, Health and Safety Code, as added by this Act; and

(2) adopt the rules required by Section 48.053, Health and Safety Code, as added by this Act.