



AN ACT PROVIDING FOR LICENSING AND REGULATION OF COMMUNITY HEALTH WORKERS; PROVIDING A PURPOSE; ESTABLISHING LICENSING REQUIREMENTS; PROVIDING RULEMAKING AUTHORITY; PROVIDING DEFINITIONS; PROVIDING FOR REIMBURSEMENT AUTHORITY BY THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES FOR SERVICES PROVIDED BY COMMUNITY HEALTH WORKERS; PROVIDING FOR LICENSE FEES; AND AMENDING SECTION 37-1-401, MCA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Purpose. It is the purpose of [sections 1 through 5] to provide for the public health, safety, and welfare by ensuring the ethical, qualified, and professional practice of community health workers. [Sections 1 through 5] and the rules promulgated under [section 3] set standards of qualification, education, training, and experience and establish professional ethics for those who seek to engage as community health workers.

Section 2. Definitions. As used in [sections 1 through 5], the following definitions apply:

- (1) "Department" means the department of labor and industry established in 2-15-1701.
- (2) "Licensed community health worker" means a frontline public health worker who lives in or is trusted by the community and who provides outreach, maternity support, service navigation, coaching and social support, direct services, cultural mediation, capacity building, education, advocacy, and informal counseling.

Section 3. Department rulemaking. (1) The department shall adopt rules necessary to carry out the provisions of [sections 1 through 5].

- (2) The department may review the curriculum for licensed community health workers and adopt

by rule endorsements to the license based on completion of additional education.

Section 4. License required -- exceptions. (1) Except as otherwise provided in [sections 1 through 5], a person may not practice as a licensed community health worker unless licensed under Title 37, chapter 1, and [sections 1 through 5].

(2) The license requirements of [sections 1 through 5] do not prohibit:

(a) a member of another profession from performing duties and services consistent with the individual's licensure or certification or, in the case of a qualified member of another profession who is not licensed or certified, from performing duties and services consistent with the person's training if the person does not represent by title that the person is certified by the department;

(b) an activity or service or use of an official title by a person employed by or acting as a volunteer for a federal, state, county, or municipal agency or for an educational, research, or charitable organization that is a part of the duties of the office or position; or

(c) an activity or service of an employee of a business establishment performed solely for the benefit of the establishment's employees.

Section 5. License requirements -- supervision -- fees -- exceptions. (1) The department shall license a person as a licensed community health worker if the person pays the prescribed fees and submits evidence that the person:

(a) is at least 18 years of age;

(b) has completed a community health worker training program, a community health representative training program as provided by the federal Indian health service, or an equivalent program, including a tribal program; and

(c) has successfully completed the required hours of supervised experience as determined by rule.

(2) The requirement in subsection (1)(c) may be satisfied as part of the training program curriculum or through an apprenticeship.

(3) An applicant may be exempt from subsection (1)(b) or (1)(c) if the person presents evidence satisfactory to the department of sufficient training or experience, or a combination of training and experience in

lieu of a formal training program or supervision.

Section 6. Section 37-1-401, MCA, is amended to read:

"37-1-401. (Temporary) Uniform regulation for licensing programs without boards --

definitions. As used in this part, the following definitions apply:

(1) "Complaint" means a written allegation filed with the department that, if true, warrants an injunction, disciplinary action against a licensee, or denial of an application submitted by a license applicant.

(2) "Department" means the department of labor and industry provided for in 2-15-1701.

(3) "Investigation" means the inquiry, analysis, audit, or other pursuit of information by the department, with respect to a complaint or other information before the department, that is carried out for the purpose of determining:

(a) whether a person has violated a provision of law justifying discipline against the person;

(b) the status of compliance with a stipulation or order of the department;

(c) whether a license should be granted, denied, or conditionally issued; or

(d) whether the department should seek an injunction.

(4) "License" means permission in the form of a license, permit, endorsement, certificate, recognition, or registration granted by the state of Montana to engage in a business activity or practice at a specific level in a profession or occupation governed by:

(a) Title 37, chapter 2, part 6;

(b) Title 37, chapter 16, 40, 56, 60, 72, ~~or 73~~, or [sections 1 through 5]; or

(c) Title 50, chapter 39, 74, or 76.

(5) "Profession" or "occupation" means a profession or occupation regulated by the department under the provisions of:

(a) Title 37, chapter 2, part 6;

(b) Title 37, chapter 16, 40, 49, 56, 60, 72, ~~or 73~~, or [sections 1 through 5]; or

(c) Title 50, chapter 39, 74, or 76. (Terminates June 30, 2031--sec. 10, Ch. 628, L. 2023.)

37-1-401. (Effective July 1, 2031) Uniform regulation for licensing programs without boards --

definitions. As used in this part, the following definitions apply:

(1) "Complaint" means a written allegation filed with the department that, if true, warrants an injunction, disciplinary action against a licensee, or denial of an application submitted by a license applicant.

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- (b) the status of compliance with a stipulation or order of the department;
- (c) whether a license should be granted, denied, or conditionally issued; or
- (d) whether the department should seek an injunction.

(4) "License" means permission in the form of a license, permit, endorsement, certificate, recognition, or registration granted by the state of Montana to engage in a business activity or practice at a specific level in a profession or occupation governed by:

- (a) Title 37, chapter 16, 40, 56, 60, 72, ~~or 73~~, or [sections 1 through 5]; or
- (b) Title 50, chapter 39, 74, or 76.

(5) "Profession" or "occupation" means a profession or occupation regulated by the department under the provisions of:

- (a) Title 37, chapter 16, 40, 49, 56, 60, 72, ~~or 73~~, or [sections 1 through 5]; or
- (b) Title 50, chapter 39, 74, or 76."

Section 7. Codification instruction. [Sections 1 through 5] are intended to be codified as a new chapter in Title 37, and the provisions of Title 37 apply to [sections 1 through 5].

- END -

I hereby certify that the within bill,
HB 850, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2025.

President of the Senate

Signed this _____ day
of _____, 2025.

HOUSE BILL NO. 850

INTRODUCED BY E. BUTTREY, S. DEMAROIS, J. ETCHART

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