

STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Department of Human Services, Public Health Division

Chapter 333

Agency and Division

Administrative Rules Chapter Number

Family Planning Expansion Project

Rule Caption

In the Matter of: Amending Oregon Administrative Rules chapter 333, division 4, which govern the Family Planning Expansion Program.

Statutory Authority: ORS 409.050

Other Authority:

Stats. Implemented: ORS 409.010

Need for the Rule(s):

The Family Planning Expansion Program is a Medicaid waiver demonstration project approved by the Centers for Medicare and Medicaid Services (CMS). At this time, the program proposes to amend rules to: 1) allow FPEP clients to receive contraceptive supply refills via mail; and 2) give FPEP applicants a reasonable opportunity period in which to provide documentation of U.S. citizenship, as required by the Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA).

Documents Relied Upon, and where they are available:

"Children's Health Insurance Program Reauthorization Act of 2009," available at:

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_public_laws&docid=f:publ003.111.pdf%20

Fiscal and Economic Impact:

See Statement of Cost Compliance below for details.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

Permitting FPEP clients to receive contraceptive supply refills via mail is not expected to have a fiscal impact on any state agencies. Units of local government that participate in FPEP (e.g. county health departments) may see a fiscal impact if they choose to make supplies available through the mail; the rules do not require them to do so. It is expected, but not certain, that providing refills through the mail would generate savings for local agencies. While they may incur new costs for packing and postage, agencies should realize savings through reduced workload for clinical and reception staff.

The reasonable opportunity period should have a positive financial impact on both the state Public Health Division and units of local government that participate in FPEP because federal matching funds may be claimed for services provided to applicants during their reasonable opportunity period.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule:

Approximately 12 FPEP providers are small, private health care practices not affiliated with units of local government.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

None.

c. Equipment, supplies, labor and increased administration required for compliance:

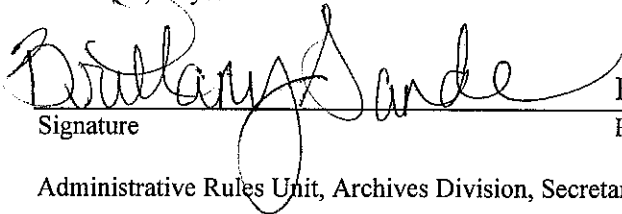
None.

How were small businesses involved in the development of this rule?

Small business FPEP providers are represented on the FPEP Workgroup, which reviewed the proposed rule changes before the public comment period.

Administrative Rule Advisory Committee consulted?: Yes; the FPEP Workgroup, an advisory body with representation from the full range of FPEP provider types, was consulted.

If not, why?:



Signature

Brittany Sande, PHD Rules Coordinator

Printed name

8/12/09

Date

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310. ARC 925-2007