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**PERMANENT ADMINISTRATIVE RULES**

Oregon Health Authority, Division of Medical Assistance Programs	410
Agency and Division	Administrative Rules Chapter Number
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Upon filing.	
Adopted on	
04/01/2014 SC 4/2/14	
Effective date	

**RULE CAPTION**

Reorganize Rule Text for Clarity and Amend Rules to Ensure Consistency with Federal Rules

Not more than 15 words

**RULEMAKING ACTION**

**ADOPT:**

**AMEND:** 410-129-0020, 410-129-0065, 410-129-0070

**REPEAL:**

**RENUMBER:**

**AMEND & RENUMBER:**

**Stat. Auth.:** ORS 413.042, 414.065

**Other Auth.:**

**Stats. Implemented:** ORS 414.065

**RULE SUMMARY**

The Speech-Language Pathology, Audiology and Hearing Aid Services Program administrative rules govern Division of Medical Assistance Programs' (Division) payments for services provided to Oregon Health Plan clients. The Division amends

rules for clarity and to align rules with the Center for Medicare and Medicaid Services' (CMS) Early Periodic Screening, Diagnosis, and Treatment (EPSDT) program rules.

*Ludy Mohr Peterson*  
Authorized Signer

*Ludy Mohr PETERSON*  
Printed Name

*04/01/2014*  
Date

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## **410-129-0020**

### **Therapy Plan of Care, Goals/Outcomes and Record Requirements**

- (1) Therapy shall be based on a prescribing practitioner's written order and therapy treatment plan with goals and objectives developed from an evaluation or re-evaluation.
- (2) The therapy regimen shall be taught to individuals, including the patient, family members, foster parents, and caregivers who can assist in the achievement of the goals and objectives. The Division of Medical Assistance Programs (Division) shall not authorize extra treatments for teaching.
- (3) All speech-language pathology (SLP) treatment services require a therapy plan of care that is required for prior authorization (PA) for payment.
- (4) The SLP therapy plan of care shall include:
  - (a) Client's name and diagnosis;
  - (b) The type, amount, frequency and duration of the proposed therapy;
  - (c) Individualized, measurably objective, short-term and long-term functional goals;
  - (d) Dated signature of the therapist or the prescribing practitioner establishing the therapy plan of care; and
  - (e) Evidence of certification of the therapy plan of care by the prescribing practitioner.
- (5) SLP therapy records shall include:
  - (a) Documentation of each session;
  - (b) Therapy provided;
  - (c) Duration of therapy; and
  - (d) Signature of the Speech-Language-Pathologist.

Stat. Auth.: ORS 413.042

Stats. Implemented: ORS 414.060

## **410-129-0065**

### **Licensing Requirements**

(1) The Division of Medical Assistance Programs (Division) enrolls only the following types of providers as performing providers under the Speech-Language Pathology, Audiology and Hearing Aid Services program:

(a) A person licensed by the relevant state licensing authority to practice speech-language pathology (SLP);

(b) A person licensed by the relevant state licensing authority to practice audiology; and

(c) A person licensed by the relevant state licensing authority for “dealing in hearing aids” as defined in Oregon Revised Statute 694.015.

(2) The Oregon Board of Examiners for SLP and Audiology licenses (and the Division recognizes services provided by):

(a) Conditional Speech-Language Pathologists; and

(b) SLP Assistants.

(3) Services of graduate SLP students, furnished under a Conditional SLP License:

(a) Shall be provided in compliance with supervision requirements of the state licensing board and the American Speech-Language-Hearing Association;

(b) Shall be compliant with applicable record and documentation requirements (see also Oregon Administrative Rules in chapter 335, division 010); and

(c) Are reimbursed to the licensed supervising Speech-Language Pathologist.

(4) The Division shall not reimburse for services of a licensed Speech-Language Pathologist while the pathologist is teaching or supervising students in SLP.

Stat. Auth.: ORS 413.042

Stats. Implemented: ORS 414.025, 414.065

#### **410-129-0070**

#### **Limitations**

(1) Speech-Language pathology (SLP) services:

(a) Shall be provided by a practitioner as described in Oregon Administrative Rule (OAR) 410-129-0065(1);

(b) Therapy treatment:

- (A) May not exceed one hour per day, either group or individual;
- (B) Shall be either group or individual and cannot be combined in the authorization period; and
- (C) Requires prior authorization.

(c) The following SLP services do not require payment authorization but are limited to:

- (A) Two SLP evaluations in a 12-month period;
- (B) Two evaluations for dysphagia in a 12-month period;
- (C) Up to four re-evaluations in a 12-month period;
- (D) One evaluation for speech-generating/augmentative communication system or device shall be reimbursed per recipient in a 12-month period;
- (E) One evaluation for voice prosthesis or artificial larynx shall be reimbursed in a 12-month period;
- (F) Purchase, repair or modification of electrolarynx;
- (G) Supplies for speech therapy shall be reimbursed up to two times in a 12month period, not to exceed \$5.00 each;

(d) The purchase, rental, repair or modification of a speech-generating/augmentative communication system or device requires prior authorization. Rental of a speech-generating/augmentative communication system or device is limited to one month. All rental fees shall be applied to the purchase price. See OAR 410-129-0220.

(2) Audiology and hearing aid services:

(a) All hearing services must be performed by a licensed physician, audiologist or hearing aid specialist;

(b) Reimbursement is limited to one (monaural) hearing aid every five years for adults (age 21 and older) who meet the following criteria: Loss of 45 decibel (dB) hearing level or greater in two or more of the following three frequencies: 1000, 2000, and 3000 Hertz (Hz) in the better ear;

(c) Adults who meet the criteria above and, in addition, have vision correctable to no better than 20/200 in the better eye, may be authorized for two hearing aids for safety purposes. A vision evaluation shall be submitted with the prior authorization request;

(d) Two (binaural) hearing aids shall be reimbursed no more frequently than every three years for children (birth through age 20), who meet the following criteria:

- (A) Pure tone average of 25dB for the frequencies of 500Hz, 1000Hz and 2000Hz; or
- (B) High frequency average of 35dB for the frequencies of 3000Hz, 4000Hz and 6000Hz;
- (e) An assistive listening device may be authorized for individuals aged 21 or over who are unable to wear, or who cannot benefit from, a hearing aid. An assistive listening device is defined as a simple amplification device designed to help the individual hear in a particular listening situation. It is restricted to a hand-held amplifier and headphones;
- (f) Services that do not require payment authorization:
  - (A) One basic audiologic assessment in a 12-month period;
  - (B) One basic comprehensive audiometry (audiologic evaluation) in a 12month period;
  - (C) One hearing aid examination and selection in a 12-month period;
  - (D) One pure tone audiometry (threshold) test; air and bone in a 12-month period;
  - (E) One electroacoustic evaluation for hearing aid; monaural in a 12month period;
  - (F) One electroacoustic evaluation for hearing aid; binaural in a 12-month period;
  - (G) Hearing aid batteries -- maximum of 60 individual batteries in a 12-month period. Clients shall meet the criteria for a hearing aid;
- (g) Services that require payment authorization:
  - (A) Hearing aids;
  - (B) Repair of hearing aids, including ear mold replacement;
  - (C) Hearing aid dispensing and fitting fees;
  - (D) Assistive listening devices;
  - (E) Cochlear implant batteries.
- (h) Services not covered:
  - (A) FM systems -- vibro-tactile aids;
  - (B) Earplugs;
  - (C) Adjustment of hearing aids is included in the fitting and dispensing fee and is not reimbursable separately;

(D) Aural rehabilitation therapy is included in the fitting and dispensing fee and is not reimbursable separately;

(E) Tinnitus masker(s).

Stat. Auth.: ORS 413.042

Stats. Implemented: ORS 414.065