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Generated on December 10, 2014 10:24AM

TEMPORARY 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	
01/01/2015 thru 06/29/2015	
Effective dates	

RULE CAPTION

Amendment of HERC Prioritized List of Health Services Effective 1/1/15 Incorporating Approved Modifications Effective 10/1/14

Not more than 15 words

RULEMAKING ACTION

ADOPT:

AMEND: 410-141-0520

SUSPEND:

Stat. Auth.: ORS 192.527, 192.528, 413.042 and 414.065

Other Auth.: HB 2100

Stats. Implemented: ORS 192.527, 192.528, 414.010, 414.065 and 414.727

RULE SUMMARY

The Authority needs to temporarily amend 410-141-0520. This change will reference the approved Health Evidenced Review Commission (HERC) Prioritized List of Health Services, effective January 1, 2015 - December 31, 2015 and incorporating interim modifications and technical changes made October 1, 2014. The changes will be effective January 1, 2015.

STATEMENT OF NEED AND JUSTIFICATION

The temporary amendment of OAR 410-141-0520

In the Matter of

(1) December 3, 2014 cover letter from HERC to Oregon Legislative leadership reporting interim modifications and technical changes.
(2) December 8, 2014 cover letter to CMS seeking approval of the interim modifications and technical changes to the 2014 - 2015 Prioritized List.

HERC Prioritized List of Health Services found at:
Pending List http://www.oregon.gov/oha/herc/Pages/Prioritized_List_Pending.aspx
Current List http://www.oregon.gov/oha/herc/Pages/PrioritizedList.aspx

Documents Relied Upon, and where they are available

The OHP program administrative rules govern the Division of Medical Assistance Programs' payments for services provided to clients. The Authority needs to temporarily amend 410-141-0520. This change will reference the approved Health Evidenced Review Commission (HERC) Prioritized List of Health Services, effective January 1, 2015 - December 31, 2015, and incorporate interim modifications and technical changes made October 1, 2014. The changes will be effective January 1, 2015.

Need for the Temporary Rule(s)

The Authority finds that failure to act promptly will result in serious prejudice to the public interest, the Authority, providers, and clients receiving services. This rule needs to be adopted promptly so that the Authority is in compliance with CMS regulations. This temporary rulemaking action will avoid or mitigate the risks mentioned above by incorporating, in rule, the technical changes and interim modifications as specified in the Prioritized List of Health Services.

Justification of Temporary Rules

Authorized Signer	Printed Name	Date
D Simnitt	DAVID SIMNITT	12/23/2014

Authorization Page replaces the ink signature on paper filings. Have your authorized signer sign and date, then scan and attach it to your filing. You must complete this step before submitting your Permanent and Temporary filings.

Secretary of State
STATEMENT OF NEED AND JUSTIFICATION
A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Oregon Health Authority, Division of Medical Assistance Programs (Division) 410

Agency and Division | Administrative Rules Chapter Number

In the Matter of: The temporary amendment of OAR 410-141-0520

Rule Caption: Amendment of HERC Prioritized List of Health Services Effective 1/1/15 Incorporating Approved Modifications Effective 10/1/14

Statutory Authority: ORS 192.527, 192.528, 413.042 and 414.065

Other Authority: HB 2100

Stats. Implemented: ORS 192.527, 192.528, 414.010, 414.065 and 414.727

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D Summit | DAVID SUMMITT | 12/23/2014

Authorized Signer | Printed name | Date

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

410-141-0520

Prioritized List of Health Services

(1) The Health Evidenced Review Commission (HERC) Prioritized List of Health Services (Prioritized List) is the listing of physical and mental health services with "expanded definitions" of preventive services and the practice guidelines~~,~~ as presented to the Oregon Legislative Assembly. The Prioritized List is generated and maintained by HERC. The HERC maintains the most current list on their website: http://www.oregon.gov/oha/herc/Pages/PrioritizedList.aspx. For a hard copy, contact the Division of Medical Assistance Programs within the Oregon Health Authority (OHA).

(2) This rule, effective ~~October 1, 2014~~January 1, 2015, incorporates by reference the Centers for Medicare and Medicaid Services' (CMS) approved ~~biennial~~ January 1, ~~2012~~2015–December 31, ~~2014~~ 2015 Prioritized List, including October 1, 2014 interim modifications and technical changes, expanded definitions, practice guidelines, and condition treatment pairs funded through line ~~498~~674476.

~~(2) Certain mental health services are only covered for payment when provided by a Mental Health Organization (MHO), Community Mental Health Program (CMHP) or authorized Coordinated Care Organization (CCO).~~

~~(3) Substance Use Disorder (SUD) treatment services are covered for eligible OHP clients when provided by an FCHP, PCO, and CCO or by a provider who has a letter of approval from the Addictions and Mental Health Division and approval to bill Medicaid for SUD services.~~