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TEMPORARY ADMINISTRATIVE RULES

Oregon Health Authority, Health Systems Division:
Medical Assistance Programs

410

Agency and Division

Administrative Rules Chapter Number

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Upon filing.

Adopted on

07/01/2016 thru 12/27/2016

Effective dates

RULE CAPTION

HERC Prioritized List Effective July 1, 2016

Not more than 15 words

RULEMAKING ACTION

ADOPT:

AMEND: 410-141-0520

SUSPEND:

Stat. Auth.: ORS 413.042 & 414.065

Other Auth.:

Stats. Implemented: ORS 414.065 & 414.727

RULE SUMMARY

The OHP program administrative rules govern the Division's payments for services provided to clients. The Authority is temporarily amending 410-141-0520. This change references the approved Health Evidence Review Commission (HERC) Prioritized List of Health Services, incorporating by reference new modifications effective July 1, 2016, to the Centers for Medicare and Medicaid Services' (CMS) approved biennial January 1, 2016-December 31, 2017, Prioritized List of condition treatment pairs funded through line 475, including interim modifications approved at the October 1, 2015, and November 12, 2015, HERC meetings. The July 1, 2016, Prioritized List includes previously delayed changes

to the Prioritized List involving the treatments for conditions of the back and spine. (Implementation of these changes had been delayed from its original planned date of January 1, 2016.) In addition, several new interim modifications are included that were approved at the January 14, 2016, and May 19, 2016, HERC meetings, which represent conforming changes involving the pairing of treatments for conditions of the back and spine.

STATEMENT OF NEED AND JUSTIFICATION

The temporary amendment of OAR 410-141-0520

In the Matter of

- June 8, 2016, cover letter from HERC to Oregon Legislative leadership reporting interim modifications and technical changes

- 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's payments for services provided to clients. The Authority needs to temporarily amend 410-141-0520. This change references the approved Health Evidence Review Commission (HERC) Prioritized List of Health Services, incorporating by reference new modifications effective July 1, 2016, to the Centers for Medicare and Medicaid Services' (CMS) approved biennial January 1, 2016-December 31, 2017, Prioritized List of condition treatment pairs funded through line 475, including interim modifications approved at the October 1, 2015, and November 12, 2015, HERC meetings. The July 1, 2016, Prioritized List includes previously delayed changes to the Prioritized List involving the treatments for conditions of the back and spine. (Implementation of these changes had been delayed from its original planned date of January 1, 2016.) In addition, several new interim modifications are included that were approved at the January 14, 2016, and May 19, 2016, HERC meetings, which represent conforming changes involving the pairing of treatments for conditions of the back and spine.

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 HERC Prioritized List of Health Services.

Justification of Temporary Rules

Ka Wheel

Karen Wheeler

6/13/16

Authorized Signer

Printed Name

Date

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.

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)
Agency and Division

410

Administrative Rules Chapter Number

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

Rule Caption: HERC Prioritized List Effective July 1, 2016

Statutory Authority: ORS 413.042 and 414.065

Other Authority:

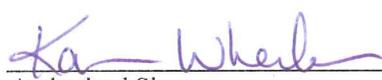
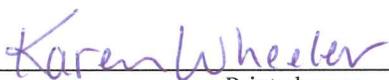
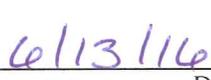
Stats. Implemented: ORS 414.065 and 414.727

Need for the Temporary Rule(s): The OHP program administrative rules govern the Division’s payments for services provided to clients. The Authority needs to temporarily amend 410-141-0520. This change references the approved Health Evidence Review Committee (HERC) Prioritized List of Health Services, incorporating by reference new modifications effective July 1, 2016, to the Centers for Medicare and Medicaid Services’ (CMS) approved biennial January 1, 2016–December 31, 2017, Prioritized List of condition treatment pairs funded through line 475, including interim modifications approved at the October 1, 2015, and November 12, 2015, HERC meetings. The July 1, 2016, Prioritized List includes previously delayed changes to the Prioritized List involving the treatments for conditions of the back and spine. (Implementation of these changes had been delayed from its original planned date of January 1, 2016.) In addition, several new interim modifications are included that were approved at the January 14, 2016, and May 19, 2016, HERC meetings, which represent conforming changes involving the pairing of treatments for conditions of the back and spine.

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Justification of 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 HERC Prioritized List of Health Services.

Authorized Signer Printed name Date

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 practice guidelines and statements of intent 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/index.aspx>. For a hard copy, contact the Division within the Oregon Health Authority (Authority).

(2) This rule incorporates by reference new modifications effective July 1, 2016, to the Centers for Medicare and Medicaid Services’ (CMS) approved biennial January 1, 2016–December 31, 2017, Prioritized List of condition treatment pairs funded through line 475, including interim modifications approved at the October 1, 2015, and November 12, 2015, HERC meetings. The July 1, 2016, Prioritized List includes previously delayed changes to the Prioritized List involving the treatments for conditions of the back and spine. (Implementation of these changes had been delayed from its original planned date of January 1, 2016.) In addition, several new interim modifications are included that were approved at the January 14, 2016, and May 19, 2016, HERC meetings, which represent conforming changes involving the pairing of treatments for conditions of the back and spine.

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