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**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	
03/01/2013 thru 06/29/2013	
Effective dates	

**RULE CAPTION**

Change method of payment to FQHC and RHC Out Station Outreach Worker Activities  
Not more than 15 words

**RULEMAKING ACTION**

**ADOPT:**

**AMEND:** 410-147-0400

**SUSPEND:** 410-147-0400 (T)

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

**Other Auth.:** none

**Stats. Implemented:** ORS 414.065

**RULE SUMMARY**

The Division needs to amend 410-147-0400 to change the method of payment to FQHC and RHC for out stationed outreach worker activities. These clinics have historically been reimbursed for out stationed outreach worker activities through a rate calculated from 100% of cost, which was then added to their base Prospective Payment System (PPS) all inclusive encounter rate. This amended rule will reimburse clinics 100% of their allowable costs for out stationed outreach worker activities and be paid in four equal installments at the beginning of each calendar quarter, January 1, April 1, July 1, and October 1.

STATEMENT OF NEED AND JUSTIFICATION

The amendment of OAR 410-147-0400

In the Matter of

None

Documents Relied Upon, and where they are available

The Division needs to amend 410-147-0400 to change the method of payment to FQHC and RHC for out stationed outreach worker activities. These clinics have historically been reimbursed for out stationed outreach worker activities through a rate calculated from 100% of cost, which was then added to their base Prospective Payment System (PPS) all inclusive encounter rate. This amended rule will reimburse clinics 100% of their allowable costs for out stationed outreach worker activities and be paid in four equal installments at the beginning of each calendar quarter, January 1, April 1, July 1, and October 1.

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, and FQHCs and RHCs. This rule need to be adopted promptly to clarify and set forth the requirements related to reimbursement to clinics for out station outreach worker activities. This rule sets forth the payment methods that will be effective January 1, 2013.

Justification of Temporary Rules

*Rhonda Buser*

Rhonda Buser

2-28-13

Authorized Signer

Printed Name

Date

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## 410-147-0400 Compensation for Outstationed Outreach Activities

(1) This rule provides reasonable compensation for activities directly related to the receipt and initial processing of applications for individuals, including low-income pregnant women and children, to apply for Medicaid at outstation locations other than state offices.

(2) A federally qualified health center (FQHC) eligible in accordance with Oregon Administrative Rule (OAR) 410-120-0045 ~~Applications for Medical Assistance at provider locations~~, will be eligible for compensation under this rule.

(3) "Initial processing" includes the following activities:

- (a) Taking applications;
- (b) Assisting applicants in completing the application;
- (c) Providing information as outlined in OAR 410-120-0045;
- (d) Obtaining required documentation to complete processing of the application;
- (e) Ensuring that the information contained on the application form is complete; and
- (f) Conducting any necessary interviews.

(4) "Initial processing" does not include evaluating the information contained on the application and the supporting documentation or making a determination of eligibility or ineligibility.

(5) At locations that are infrequently used by the designated low-income eligibility groups, the Division ~~of Medical Assistance Programs (Division)~~ may use the following resources:

- (a) Volunteers, provider or contractor employees; or
- (b) Its own eligibility staff, or
- (c) Telephone assistance by:

(A) The FQHC as outlined in section (~~128~~); or

(B) Prominently displaying a notice that includes the telephone number for the state OHP Application Center or the local branch office that applicants may call for assistance.

(6) Eligible FQHCs may be able to receive reasonable compensation for outreach activities performed by Outstationed Outreach Workers (OSOW) that is equal to 100% of direct costs.:

(7) Allowable direct cost expenses for OSOW reimbursement include:

(a) Travel expenses incurred by the FQHC for Division training on OSOW activities;

(b) Phone bills, if a dedicated line is used. Otherwise an estimate of telephone usage and resulting costs;

(c) OSOW personnel costs:

(A) Wages shall be the lesser of:

(i) Wages reported by the FQHC; or

(ii) Wages paid by the State of Oregon to an employee of the state providing enrollment assistance to individuals applying for OHP;

(iii) Wage reimbursement may not exceed the highest salary rate issued by the State of Oregon to a Human Services Specialist 2;

(B) Taxes;

(C) Fringe benefits provided to OSOW;

(D) Premiums paid by the FQHC for private health insurance.

(d) Reasonable costs for equipment necessary to perform outreach activities, which does include expenses for replacing equipment if the original equipment cost was reported on the cost statement when the clinic's initial PPS encounter rate was calculated;

(e) Rent or space costs only if 100% of facility costs were not reported on the cost statement when the clinic's initial PPS encounter rate was calculated;

(f) Reasonable office supplies necessary to perform outreach activities; and

(g) Postage.

(8) The Division may not include indirect costs in the OSOW reimbursement rate. Indirect costs include but are not limited to the following:

(a) Any costs included in the initial calculation of a clinic's PPS encounter rate;

(b) Contracted interpretation services;

(c) Administrative overhead costs;

(d) Supervision costs; and

(e) Operating expenses including utilities, building maintenance and repair, and janitorial services.

~~\_(a) The Division will calculate an OSOW rate based on reasonable direct costs described in section (11) of this rule, and reported by a clinic according to section (7) of this rule;~~

~~\_(b) The Division will add the OSOW to the clinic's current base medical Prospective Payment System (PPS) encounter rate.~~

~~\_(7) Changes to OSOW compensation applied to the PPS encounter rate:~~

~~(9a) Clinics must submit to the Division a cost statement for the preceding calendarfiscal year betweenno earlier than October 1, and no later than October 31, of each year for Division review and approval of the clinic's OSOW direct costs.;~~

~~(10) If a clinic fails to submit the OSOW cost statement by October 31 of the required year, the clinic may not be eligible for reimbursement of OSOW costs as of January 1 for the following year.~~

~~(11b) Any change to the OSOW rate~~rate~~, based on the October cost statement submission, shallwill be effective January 1 of the following year;~~

~~(a) The Division shall make payment to the clinic for the reviewed and accepted OSOW costs in four equal installments at the beginning of each calendar quarter; January 1, April 1, July 1, and October 1.~~

~~\_(be) If the Division determines that the clinic's OSOW rate is inflated, the clinics Division shall~~OSOW rate will be adjusted-adjust the rate~~ effective immediately.~~

~~(128) Clinic locations with limited operating hours, or that limit access to the general public during their regular operating hours must calculate the actual time an OSOW meets face-to-face with the general public for receipt and the initial processing of applications. For example, if a clinic employs an OSOW at a satellite school-based health center (SBHC), and the SBHC can only be accessed by the general public outside of the school's normal hours of operation, use the percent of time an OSOW is available to meet face-to-face with potential applicants when reporting compensation as outlined in section (11) (c) of this rule.~~

(a) Clinics must display a notice in a prominent place that advises potential applicants when an OSOW will be available;

(b) The notice must include a telephone number that applicants may call for assistance.

~~(139)~~ For staff employed by a clinic and performing outreach activities at less than full time, the clinic must calculate the percent~~age~~ of time spent performing OSOW ~~services activities~~ and maintain adequate documentation to support the ~~percentage of~~ time claimed. The percent~~age~~ must be used to calculate personnel expenses incurred by an FQHC ~~as outlined in Section (10) (c) of this rule and~~ that are directly attributed to outreach activities performed by the employee. Outreach activities:

(a) May include assisting individuals with completing applications for other Department of Human Services (Department) and Authority-administered programs where eligibility is determined by staff at local branch offices;

(b) Does not include assisting individuals with applying for non-Department and non-Authority-administered programs.

~~(1410)~~ A clinic ~~shall notis prohibited from~~ claiming reimbursement for costs associated with personnel positions where 100% of costs were included in the FQHC's P~~ro~~pective Payment System (PPS) encounter rate calculation.;

~~(11) Direct cost expenses allowed for OSOW reimbursement:~~

~~(a) Travel expenses incurred by the FQHC for Division training on OSOW activities;~~

~~(b) Phone bills, if a dedicated line. Otherwise an estimate of telephone usage and resulting costs;~~

~~(c) Personnel costs for OSOWs:~~

~~(A) Wages will be the lesser of:~~

~~(i) Reported wages by the FQHC; or~~

~~(ii) Wages paid by the State of Oregon to an employee of the state providing enrollment assistance to clients applying for the Oregon Health Plan;~~

~~(B) Taxes;~~

~~(C) Fringe benefits provided to OSOW;~~

~~(D) Premiums paid by the FQHC for private health insurance.~~

~~(d) Reasonable equipment necessary to perform outreach activities. Do not include expenses for replacing equipment if the original cost of the equipment was reported on the cost statement when the clinic's initial PPS encounter rate was calculated;~~

~~(e) Rent or space costs. Do not include rent or space costs if 100% of facility costs were reported on the cost statement when the clinic's initial PPS encounter rate was calculated;~~

~~(f) Reasonable office supplies necessary to perform outreach activities; and~~

~~(g) Postage.~~

~~(12) The Division excludes indirect costs relating to OSOW activities from calculation of the OSOW rate. Excluded indirect costs include and are not limited to the following:~~

~~(a) Any costs included in the initial calculation of a clinic's Prospective Payment System (PPS) encounter rate;~~

~~(b) Contracted interpretation services;~~

~~(c) Administrative overhead costs;~~

~~(d) Supervision costs; and~~

~~(e) Operating expenses including utilities, building maintenance and repair, and janitorial services.~~

~~(1513) A Public Health Department designated as an FQHC or a School Based Health Center (SBHC) within the scope of an FQHC designation cannot participate in the Medicaid Administrative Claiming (MAC) program.~~

~~(14) If a clinic fails to submit the OSOW budget by November 1 of the required year, a clinic may not be eligible for compensation of OSOW costs as of January 1 for the coming year.~~

Stat. Auth.: ORS 413.042 and 414.065

Stats. Implemented: ORS 414.065