

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING**  
A Statement of Need and Fiscal Impact accompanies this form.

|   |                                     |                |
|---|-------------------------------------|----------------|
| Oregon Health Authority (OHA), Division of Medical Assistance Programs (Division) | 410                                 |                |
| Agency and Division   | Administrative Rules Chapter Number |                |
| Sandy Cafourek  | 500 Summer St NE, Salem, OR 97301   | (503) 945-6430 |
| Rules Coordinator   | Address                             | Telephone      |

**RULE CAPTION**

|  |            |  |                  |
|--|------------|--|------------------|
| Home Uterine Monitoring Rule Rewritten for Clarity   |            |  |                  |
| <b>Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.</b> |            |  |                  |
| September 16, 2014   | 10:30 a.m. | 500 Summer St. NE, Salem, OR 97301 Room 137B | Sandy Cafourek   |
| Hearing Date   | Time       | Location                                     | Hearings Officer |

*Auxiliary aids for persons with disabilities are available upon advance request.*

**RULEMAKING ACTION**

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

**ADOPT:**

**AMEND:** OAR 410-122-0260

**REPEAL:**

**RENUMBER:**

**AMEND & RENUMBER:**

Stat. Auth. : ORS ORS 413.042 and 414.065

Other Auth.:

Stats. Implemented: ORS 414.065

**RULE SUMMARY**

The rule language is being amended to clarify rental coverage and prior authorization requirements.

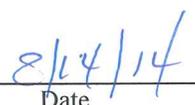
The agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

September 18, 2014 by 5 p.m. Send written comments to: [dmap.rules@state.or.us](mailto:dmap.rules@state.or.us)

**Last Day for Public Comment** (Last day to submit written comments to the Rules Coordinator)

  
Signature

Printed name

  
Date

**Note:** Hearing Notices must be submitted by the 15th day of the month to be published in the next month's *Oregon Bulletin*.

**STATEMENT OF NEED AND FISCAL IMPACT**

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

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

410

Agency and Division

Administrative Rules Chapter Number

Home Uterine Monitoring Rule Rewritten for Clarity

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of: The amending of OAR 410-122-0260

Statutory Authority: ORS 413.042 and 414.065

Other Authority:

Stats. Implemented: ORS 414.065

Need for the Rule(s): Rule language amended to clarify rental coverage and prior authorization requirements.

Documents Relied Upon, and where they are available: N/A

Fiscal and Economic Impact: No fiscal impact is anticipated as there is no policy change associated with this rule amendment.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): There will be no impact in the implementation of these amendments.

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: No small businesses will be affected by this rule amendment.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: No administrative costs are expected with this rule amendment.

c. Equipment, supplies, labor and increased administration required for compliance: There will be no increased or decreased costs to small businesses for compliance.

How were small businesses involved in the development of this rule? DMEPOS stakeholders were advised in stakeholder meetings held on June 5, 2014

Administrative Rule Advisory Committee consulted?: Yes. Rule Advisory Committee meeting held on June 6, 2014 with no additional comments or feedback regarding the rule amendments.

If not, why?:

Signature

Rhonda Busek

8-14-14

Date

## 410-122-0260

### Home Uterine Monitoring

(1) Home uterine monitoring (S9001) requires prior authorization (PA) and may be approved for the following conditions: (a) Pre-term labor—this pregnancy with one or more of the following complications:

- (A) Incompetent cervix;
  - (B) Cervical cerclage;
  - (C) Polyhydramnios;
  - (D) Anomalies of the uterus;
  - (E) History of cone biopsy;
  - (F) Cervical dilation or effacement;
  - (G) Unknown etiology.
- (b) History of pre-term labor and/or delivery;
- (c) Multiple gestation.

(2) Uterine monitoring will only be approved for the above conditions between the 24th and through the completion of the 36th week of pregnancy.

(3) The Division will provide coverage for rental only. -The allowable rental fee for the uterine monitor includes all equipment, supplies, services, and nursing visits necessary for the effective use of the monitor. This does not include medications or prescribing practitioner's professional services.

(4) The client must have a ~~telephone~~ landline telephone or reasonable access to one. The Division of Medical Assistance Programs (Division) will not be responsible for providing the landline telephone or landline access.

~~(5) S9001—Uterine home monitoring, with or without associated nursing services:~~

- ~~(a) Prior Authorization (PA) required;~~
- ~~(b) The Division will rent.~~

Statutory Authority: ORS 413.042 and 414.065

Statutes Implemented: 414.065

~~2-1-10 (Stat lines only)~~

~~7-1-10 (HK)~~

~~3-1-11 (hk)~~