

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

Timeframes for Seeing, Referring or Providing Services to OHP Fee-for-Service Pregnant Clients

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

June 15, 2016	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 410-123-1510

REPEAL: OAR 410-123-1510(T)

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 413.042 & 414.065

Other Auth.: 2015 HB 3464

Stats. Implemented: ORS 414.065

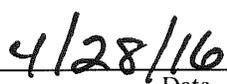
RULE SUMMARY

The rule implements Sections 2 and 4 of House Bill 3464, which passed in 2015. It creates a standard for access to dental care for pregnant women who receive Oregon Health Plan benefits through the fee-for-service delivery system that is as good as or better than the standard for clients who receive benefits through the managed care delivery system, as measured by how long it takes for a client to receive a dental appointment.

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.

June 17, 2016 by 5 p.m. Send written comments to: 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 (Authority), Health Systems Division, Medical Assistance Programs (Division)	410
Agency and Division	Administrative Rules Chapter Number

Timeframes for Seeing, Referring or Providing Services to OHP Fee-for-Service Pregnant Clients
Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of: The amendment of OAR 410-123-1510.

Statutory Authority: ORS 413.042 & 414.065

Other Authority: 2015 HB 3464

Stats. Implemented: ORS 414.065

Need for the Rule(s): The Authority needs to write rules as required in 2015 House Bill 3464. The rule implements Sections 2 and 4 of House Bill 3464, which passed in 2015. It creates a standard for access to dental care for pregnant women who receive Oregon Health Plan benefits through the fee-for-service delivery system that is as good as or better than the standard for clients who receive benefits through the managed care delivery system, as measured by how long it takes for a client to receive a dental appointment.

Documents Relied Upon, and where they are available: 2015 House Bill 3464, <https://olis.leg.state.or.us/liz/2015R1/Downloads/MeasureDocument/HB3464/Enrolled>

Fiscal and Economic Impact: The Authority anticipates no fiscal or economic impact as a result of this rule.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): Amending these rules will have no fiscal impact on the Authority, other state agencies, units of local government, the public, or businesses, including small businesses.
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: There are approximately 30 dentists in the state who currently accept fee-for-service clients; many of them will be affected by this rule.
 - b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: None.
 - c. Equipment, supplies, labor and increased administration required for compliance: None.

How were small businesses involved in the development of this rule? Dentists were invited to participate in the rules advisory committee.

Administrative Rule Advisory Committee consulted?: Yes. RAC participants included representatives from AllCare, Advantage Dental Care, Family Care Dental, ODS, Oregon Primary Care Association, PacificSource, and Willamette Dental. If not, why?:

	Karen	4/28/16
Signature	Printed Name	Date

410-123-1510

RULE REWRITTEN

Dental Care Access Standards for Pregnant Women

- (1) This rule sets forth the access standards for dental care for pregnant women who receive Oregon Health Plan (OHP) benefits through the fee-for-service delivery system.
- (2) Pregnant clients must be seen, treated, or referred to an OHP-covered service within the following time frames:
 - (a) For emergency dental care: within 24 hours;
 - (b) For urgent dental care: one to two weeks or as indicated in the initial screening in accordance with OAR 410-123-1060;
 - (c) For routine dental care: an average of four weeks, unless there is a documented special clinical reason that would make access longer than four weeks appropriate;
 - (d) For initial dental screening or examination: four weeks.
- (3) Nothing in this rule obligates a pregnant woman who receives dental care through the fee-for-service delivery system to accept an offered appointment.

-Stat. Auth.: ORS 413.042 & 414.065

Stats. Implemented: ORS 414.065

410-123-1510

~~Dental Care Access Standards for Pregnant Women~~

- ~~(1) The Authority shall establish access standards for dental care for pregnant women who receive Oregon Health Plan (OHP) benefits through the fee-for-service delivery system. Those standards shall be as good as or better than the standards for clients who receive services through the managed care delivery system. Access shall be monitored by the Authority to determine the length of time it takes for a pregnant client in fee-for-service to receive a dental appointment. The standard shall be for the client to be seen, treated, or referred within the following time frames:~~
 - ~~(a) Emergency dental care standard: Client shall be seen or treated within 24 hours;~~
 - ~~(b) Urgent dental care standard: Client shall receive an appointment within one to two weeks or as indicated in the initial screening in accordance with OAR 410-123-1060;~~
 - ~~(c) Routine dental care standard: Clients shall be seen for routine care within an average of four weeks, unless there is a documented special clinical reason that would make access longer than four weeks appropriate;~~

~~(d) Initial dental screening or examination standard: Client shall be seen within four weeks.~~

~~(2) The Authority shall reach out to pregnant clients by e-mail, mail, phone, or in person to assess each pregnant client's need for oral health care within one month of either enrollment in OHP or record of pregnancy, whichever is later. Within one week of assessment, the Authority shall refer the client to an appropriate oral health provider.~~

~~(3) The Authority shall generate regular reporting to monitor fee-for-service delivery system performance to these standards.~~

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

~~Stats. Implemented: ORS 414.065~~