

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

Oregon Health Authority (Authority), Division of Medical Assistance Programs (Division) 410
Agency and Division Administrative Rules Chapter Number

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Rules Coordinator Address Telephone

RULE CAPTION

Incorporate Code Set and HERC Changes into List of Billing Codes Not Covered by OHP
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

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

ADOPT:

AMEND: OAR 410-130-0220

REPEAL: OAR 410-130-0220(T)

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 413.042

Other Auth.:

Stats. Implemented: ORS 414.025 & 414.065

RULE SUMMARY

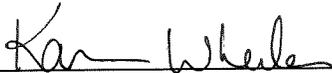
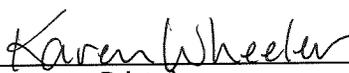
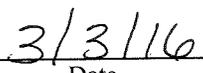
This rule lists billing codes for which the OHP FFS will not make payment. Codes are included in this rule for three reasons: (1) They are for services that are not covered under any OHP benefit plan; (2) They are codes for which payment is bundled under another billing code; and (3) They are services for which OHP requires a different but equivalent code for payment. For example, the billing codes for cosmetic procedures are included in this rule because they are not covered services. The billing code for surgical trays are also included because payment for trays is bundled under the surgery code.

The changes to this rule are to incorporate changes in the national code sets and changes from HERC. Codes that have been terminated from the national code set are being removed. Codes that HERC newly recommended for non-coverage are being added. Codes that will newly be bundled for payment under our adopted payment methodology are being added. Added codes will not be eligible for payment under the FFS program.

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.

April 21, 2016, by 5 p.m. Send 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: Notices must be submitted by the 15th day of the month to be published in the next month's *Oregon Bulletin*. A Rulemaking Hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following notice publication or 28 days from the date notice was sent to people on the agency's interested party mailing list, whichever is later. In such cases a Hearing Notice must be published in the *Oregon Bulletin* at least 14 days before the hearing.

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), Division of Medical Assistance Programs (Division)

410

Agency and Division

Administrative Rules Chapter Number

Incorporate Code Set and HERC Changes into List of Billing Codes Not Covered by OHP

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 410-130-0220 and the repeal of OAR 410-130-0220(T)

Statutory Authority: ORS 413.042

Other Authority:

Stats. Implemented: ORS 414.025 & 414.065

Need for the Rule(s): The changes to this rule are needed to incorporate changes in the national code sets and changes from HERC into this rule, which lists the billing codes that OHP does not pay for. The changes include: Removing codes that have been terminated from the national code set, adding codes that HERC newly recommended for non-coverage, and codes that will newly be bundled for payment under the Authority's adopted payment methodology. Added codes will not be eligible for payment under the FFS program.

Documents Relied Upon, and where they are available:

2016 Current Procedural Terminology available from the American Medical Association

2016 The Healthcare Common procedure Coding System (HCPCS) available from CMS

2016 National Physician's Fee Schedule available from CMS

1/1/16 Prioritized List of Health Services available at <http://www.oregon.gov/oha/herc/Pages/PrioritizedList.aspx>

Fiscal and Economic Impact: No budget impact is anticipated associated with these changes.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): Amending this rule 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):

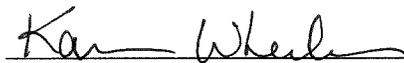
a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule: N/A

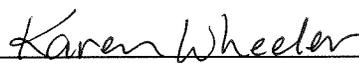
b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: N/A

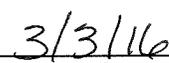
c. Equipment, supplies, labor and increased administration required for compliance: N/A

How were small businesses involved in the development of this rule? Small Businesses were not involved because they are not impacted by this rule.

Administrative Rule Advisory Committee consulted?: No. A RAC is not needed because these changes were made by CMS and HERC, and there is no option for changing the information.


Signature


Printed Name


Date

410-130-0220

Not Covered/Bundled Services/Not Valid

(1) Refer to the Oregon Health Plan administrative rules (chapter 410, division 141) and General Rules (chapter 410, division 120) for coverage of services. Refer to Table 130-0220-1 in this rule for additional information regarding not covered services, for services that the Division of Medical Assistance Programs (Division) considers to be bundled in other services, and for codes the Division considers not valid for claims processing.

(2) For additional information, see General Rules OAR 410-120-1200, Medical Assistance Benefits: Excluded Services and Limitations.

(3) Table 130-0220-1.

[ED. NOTE: Tables referenced are not included in rule text. [Click here for PDF copy of table\(s\).](#)]

Stat. Auth.: ORS 413.042

Stats. Implemented: ORS 414.025 & 414.065

Table 130-0220-1 – Not Covered/Bundled/Not Valid

Refer to the Health Evidence Review Commission's (HERC) Prioritized List of Health Services for coverage of codes, depending on code pairings and line placements.

Refer to the Durable Medical Equipment Prosthetics, Orthotics, and Supplies (DMEPOS) rules (division 410, chapter 122) for not covered Healthcare Common Procedure Coding System (HCPCS) codes not addressed below.

Refer to the National Correct Coding Initiative for NCCI Procedure-to-Procedure (PTP) and Medically Unlikely (MUE) edits. codes with NCCI edits in addition to other edits and restrictions.

Description indicators:

N = Non-covered Services. These services are not covered under OHP benefits.

B = Bundled Code. Payment for these services is always bundled into payment for other services not specified. When these services are covered, payment for them is subsumed by the payment for the services to which they are incident.

NV = Not valid for claims processing. When covered, the Division uses another code for reporting of, and payment for these services.

Code	Description	Code	Description	Code	Description	Code	Description
11920	N	22524	N	36000	B	46933	N
11921	N	22525	N	36416	B	47133	NV
11922	N	22841	B	36455	N	47383	N
11980	N	27080	N	37210	N	48550	NV
15775	N	27418	N	38129	N	50380	N
15776	N	28890	N	38204	B	50592	N
15777	N	29866	N	41530	N	50593	N
15819	N	29867	N	41821	N	50705	N
15820	N	29868	N	43206	N	52010	N
15821	N	31620	N	43252	N	53850	N
15824	N	31627	N	43257	N	53852	N
15825	N	31647	N	43647	N	53860	N
15826	N	31648	N	43648	N	55300	N
15828	N	31649	N	43842	N	55870	N
15829	N	31651	N	43843	N	55873	N
15847	N	31660	N	43881	N	55970	NV
15850	B	31661	N	43882	N	55980	NV
20696	N	32701	N	43886	N	58321	N
20930	B	32850	NV	43887	N	58322	N
20936	B	32998	N	43888	N	58323	N
20979	N	33140	N	44132	NV	58345	N
20982	N	33141	N	44133	NV	58345	N
21685	N	33282	N	44705	N	58350	N
22520	N	33548	N	44979	N	58672	N
22521	N	33930	NV	45391	N	58740	NV
22522	N	33940	NV	45392	N	58750	N
22523	N	34839	NVB	46505	N	58752	N

Code	Description	Code	Description	Code	Description	Code	Description
58760	N	74261	N	80336	NV	81219	N
58825	N	74262	N	80337	NV	81225	N
58970	N	74263	N	80338	NV	81226	N
58974	N	74742	N	80339	NV	81227	N
58976	N	75571	N	80340	NV	81273	N
59897	N	75572	N	80341	NV	81287	N
61635	N	75574	N	80342	NV	81291	N
61645	N	76376	N	80343	NV	81311	N
61650	N	76377	N	80344	NV	81313	N
62263	N	77061	N	80345	NV	81330	N
62290	N	77062	N	80346	NV	81350	N
62291	N	77063	N	80347	NV	81355	N
62292	N	77083	N	80348	NV	81417	N
64479	N	77084	N	80349	NV	81425	N
64480	N	77373	N	80350	NV	81426	N
64490	N	77435	N	80351	NV	81427	N
64491	N	77767	N	80352	NV	81432	N
64492	N	77768	N	80353	NV	81433	N
64493	N	78265	N	80354	NV	81470	N
64494	N	78266	N	80355	NV	81471	N
64495	N	78459	N	80356	NV	81490	N
64550	N	78491	N	80357	NV	81493	N
64566	N	78492	N	80358	NV	81500	N
64617	N	80300	NV	80359	NV	81503	N
64626	N	80301	NV	80360	NV	81504	N
64627	N	80302	NV	80361	NV	81506	N
64633	N	80303	NV	80362	NV	81525	N
64634	N	80304	NV	80363	NV	81528	N
64635	N	80320	NV	80364	NV	81535	N
64636	N	80321	NV	80365	NV	81536	N
65771	N	80322	NV	80366	NV	81538	N
65785	N	80323	NV	80367	NV	81540	N
66174	N	80324	NV	80368	NV	81545	N
66175	N	80325	NV	80369	NV	82107	N
69090	N	80326	NV	80370	NV	82610	N
69720	N	80327	NV	80371	NV	82757	N
69725	N	80328	NV	80372	NV	82777	N
69740	N	80329	NV	80373	NV	83006	N
69745	N	80330	NV	80374	NV	83037	N
69820	N	80331	NV	80375	NV	83631	N
69840	N	80332	NV	80376	NV	83695	N
69955	N	80333	NV	80377	NV	83698	N
70554	N	80334	NV			83700	N
70555	N	80335	NV			83701	N
72285	N					83704	N
72295	N						

Code	Description
83861	N
83913	N
83951	N
83987	N
83993	N
84145	N
84431	N
84830	N
86152	N
86153	N
86305	N
86356	N
86386	N
86891	NV
86910	N
86911	N
87905	N
88000	N
88005	N
88007	N
88012	N
88014	N
88016	N
88020	N
88025	N
88027	N
88028	N
88029	N
88036	N
88037	N
88040	N
88045	N
88099	N
88375	N
88738	N
88740	N
88741	N
88749	N
89235	N
89250	N
89251	N
89253	N
89254	N
89255	N
89257	N
89258	N
89259	N

Code	Description
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89261	N
89264	N
89268	N
89272	N
89280	N
89281	N
89290	N
89291	N
89300	N
89310	N
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89346	N
89352	N
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89354	N
89356	N
89398	N
90625	N
90634	NV
90645	NV
90646	NV
90665	N
90690	N
90691	N
90692	N
90693	N
90712	N
90717	N
90725	N
90727	N
90735	N
90738	N
90749	N
90863	N

Code	Description
90869	N
90885	B
90887	B
90889	B
91040	N
91111	N
91112	N
91117	N
91120	N
91200	N
92145	N
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92944	B
93050	N
93571	N
93572	N
93662	N
93702	N
93740	B
93770	B

Code	Description
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93893	N
93895	N
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94150	B
94452	N
94453	N
95012	N
95078	N
95803	N
95928	N
95929	N
96020	N
96040	B
96116	N
96119	N
96120	N
96902	B
96904	NV
96931	N
96932	N
96933	N
96934	N
96935	N
97005	N
97006	N
97010	N
97014	N
97016	N
97018	N
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97032	N
97033	N
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97139	N
97533	N
97545	N
97546	N
97602	B
97610	N
98960	NVB

Code	Description	Code	Description	Code	Description	Code	Description
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98962	NVB	99366	B	A4590	N	P9020	N
98967	NV	99367	NVB	A4641	NV	P9021	N
98968	NV	99368	NVB	C9732	N	P9022	N
99000	N	99373	N	G0109	NV	P9023	N
99001	N	99374	B	G0166	N	P9031	N
99002	N	99377	B	G0168	N	P9032	N
99024	N	99379	B	G0235	NV	P9033	N
99026	N	99380	B	G0245	NV	P9034	N
99027	N	99446	B	G0246	NV	P9035	N
99050	B	99446	NV	G0247	NV	P9036	N
99051	B	99447	B	G0269	B	P9037	N
99051	NV	99447	NV	G0270	NV	P9038	N
99053	N	99448	B	G0271	NV	P9039	N
99056	N	99448	NVB	G0279	N	P9040	N
99058	B	99449	B	G0281	N	P9041	N
99060	B	99449	NV	G0282	N	P9043	N
99070	B	99450	N	G0283	N	P9044	N
99071	B	99455	N	G0295	N	P9045	N
99075	N	99456	N	G0428	N	P9046	N
99078	B	99485	B	G0455	N	P9047	N
99080	B	99486	B	G0456	NV	P9048	N
99090	N	99487	B	G0457	NV	P9050	N
99091	B	99489	B	G0459	NV	P9051	N
99100	B	99497	NV	G0464	N	P9052	N
99116	B	99498	NV	G0473	NV	P9053	N
99135	B	99500	NV	G0475	N	P9054	N
99140	B	99501	NV	G9141	NV	P9055	N
99174	N	99502	NV	G9142	NV	P9056	N
99177	N	99503	NV	G9147	N	P9057	N
99241	N	99504	NV	M0075	N	P9058	N
99242	N	99505	NV	M0076	N	P9059	N
99243	N	99506	NV	M0100	N	P9060	N
99244	N	99507	NV	M0300	N	Q0035	N
99245	N	99509	NV	M0301	N	Q0091	N
99251	N	99510	NV	P2028	N	Q0092	N
99252	N	99511	NV	P2029	N	Q0115	N
99253	N	99512	NV	P2031	N	Q3031	B
99254	N	99600	NV	P2033	N	R0076	B
99255	N	99601	NV	P2038	N	S0340	NV
99288	B	99602	NV	P7001	N	S0341	NV
99339	B	A4262	B	P9010	N	S0342	NV
99340	B	A4263	B	P9011	N	S0610	NV
99358	NVB	A4270	B	P9012	N	S0612	NV
99359	NVB	A4300	B	P9016	N	S0613	NV
99363	B	A4550	B	P9017	N	S0630	N
		A4570	N			S0800	N

Code	Description
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S0812	N
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S2055	N
S2060	NV
S2061	NV
S2095	N
S2102	N
S2103	N
S2107	N
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S4040	N
S4042	N
S5151	NV
S8032	NV
S8930	N
S8940	N
S9075	NV
S9125	NV

Code	Description
S9140	NV
S9141	NV
S9145	NV
S9208	NV
S9209	NV
S9211	NV
S9212	NV
S9213	NV
S9214	NV
S9339	NV
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S9991	N
S9992	N

Code	Description
S9994	N
S9996	N
S9999	N