

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
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

Sandy Cafourek	500 Summer St. NE, Salem, OR 97301	503-945-6430
Rules Coordinator	Address	Telephone

RULE CAPTION

Amendment of HERC Prioritized List of Health Services Effective 1/1/15 Incorporating Approved Modifications Effective 10/1/14

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

March 17, 2015	500 Summer St NE, Salem, OR 97301, Room 160	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 410-141-0520

REPEAL:

RENUMBER:

AMEND & RENUMBER:

Stat. Auth: ORS 192.527, 192.528, 413.042, 414.065

Other Auth.:

Stats. Implemented: ORS 192.527, 192.528, 414.010, 414.065 NS 414.727

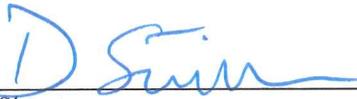
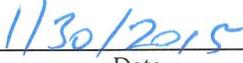
RULE SUMMARY

This rule will amend 410-141-0520. This change references the approved Health Evidenced Review Committee (HERC) Prioritized List of Health Services, effective January 1, 2015 – December 31, 2015 and incorporates interim modifications and technical changes made October 1, 2014. The change is effective January 1, 2015.

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.

March 19, 2015 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

Secretary of State
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 Assistant Programs (Division)
Agency and Division

410

Administrative Rules Chapter Number

Amendment of HERC Prioritized List of Health Services Effective 1/1/15 Incorporating Approved Modifications Effective 10/1/14
Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of: OAR 410-141-0520

Statutory Authority: ORS 192.527, 192.528, 413.042, 414.065

Other Authority:

Stats. Implemented: ORS 192.527, 192.528, 414.010, 414.065 NS 414.727

Need for the Rule(s): The OHP program administrative rules govern the Division of Medical Assistance Programs' payments for services provided to clients. The Authority needs to amend OAR 410-141-0520. This change will reference the approved Health Evidenced Review Committee (HERC) Prioritized List of Health Services, effective January 1, 2015 – December 31, 2015 and incorporating interim modifications and technical changes made October 1, 2014. The changes will be effective January 1, 2015.

Documents Relied Upon, and where they are available: (1) December 3, 2014 cover letter from HERC to Oregon Legislative leadership reporting interim modifications and technical changes; (2) December 8, 2014 cover letter to CMS seeking approval of the interim modifications and technical changes to the 2014 – 2015 Prioritized List. HERC Prioritized List of Health Services found at: Pending List http://www.oregon.gov/oha/herc/Pages/Prioritized_List_Pending.aspx and Current List <http://www.oregon.gov/oha/herc/Pages/PrioritizedList.aspx>

Fiscal and Economic Impact: See below

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): The interim modifications and technical changes are adoption of national code set changes, without anticipated fiscal impact. The HERC Prioritized List is legislatively funded; The Division does not anticipate significant impact on state agencies, units of local government or the public

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: The types of small businesses include doctor's offices, specialty groups, small clinics and community based providers, however, the Division's system does not flag which providers are part of a larger clinic or corporation, therefore the Division is unable to estimate the number of small businesses that are subject to the rules but the Division does not anticipate a direct or indirect impact on small businesses.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: The Division does not anticipate additional administrative activities required for compliance or costs of professional services.

c. Equipment, supplies, labor and increased administration required for compliance: The Division does not anticipate additional administrative activities required for compliance or costs of professional services.

How were small businesses involved in the development of this rule? Stakeholders, including members of the public sector were consulted in the revision of these rules.

Administrative Rule Advisory Committee consulted?: No. If not, why?: Stakeholders including members of the public sector were consulted in the revision of these rules. No fiscal impact is anticipated.


Signature

DAVID SIMMITT
Printed name

1/28/2015
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 preventive services and the practice guidelines, 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/PrioritizedList.aspx>. For a hard copy, contact the Division of Medical Assistance Programs within the Oregon Health Authority (OHA).

~~(2) This rule, effective October 1, 2014~~January 1, 2015, -incorporates by reference the Centers for Medicare and Medicaid Services’ (CMS) approved ~~biennial~~January 1, 2012~~2015~~-December 31, ~~2014-2015~~ 2015 Prioritized List, including October 1, 2014 interim modifications and technical changes, expanded definitions, practice guidelines, and condition treatment pairs funded through line 498674476.

~~(2) Certain mental health services are only covered for payment when provided by a Mental Health Organization (MHO), Community Mental Health Program (CMHP) or authorized Coordinated Care Organization (CCO).~~

~~(3) Substance Use Disorder (SUD) treatment services are covered for eligible OHP clients when provided by an FCHP, PCO, and CCO or by a provider who has a letter of approval from the Addictions and Mental Health Division and approval to bill Medicaid for SUD services.~~