

**DEPARTMENT OF HUMAN SERVICES
AGING AND PEOPLE WITH DISABILITIES
OREGON ADMINISTRATIVE RULES**

**CHAPTER 411
DIVISION 48**

LONG TERM CARE COMMUNITY NURSING

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(Effective 08/25/2021)

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LONG TERM CARE COMMUNITY NURSING

411-048-0150 Purpose
(Amended 08/25/2021)

(1) The rules in OAR chapter 411, division 048 establish standards and procedures for Medicaid enrolled providers who provide long term care community nursing services. Long term care community nursing services provide ongoing registered nurse (RN) services to eligible individuals who are receiving services in a Medicaid-funded home and community-based setting.

(2) Long term care community nursing services provide the following:

(a) Evaluation and identification of supports that help an individual maintain maximum functioning and minimize health risks, while promoting the individual's autonomy and self-management of healthcare.

(b) Teaching an individual, or the individual's caregiver or family, what is necessary to assure the individual's health and safety in a Medicaid-funded home and community-based setting as described in [OAR 411-048-0180](#).

(c) Delegation of nursing tasks to an individual's caregiver as described in [OAR 411-048-0180](#).

(d) Providing case managers and healthcare providers with the information needed to maintain an individual's health, safety, and community living situation while honoring the individual's autonomy and choices.

Stat. Auth.: ORS [409.050](#), [410.070](#)

Stats. Implemented: ORS [409.010](#), [410.070](#)

411-048-0160 Definitions (Amended 08/25/2021)

Unless the context indicates otherwise, the following definitions apply to the rules in OAR chapter 411, division 048:

(1) "AAA" means the Area Agency on Aging designated by the Department that is responsible for providing a comprehensive and coordinated system of services to older adults and adults with disabilities in a designated planning and service area.

(2) "Abuse" means:

(a) "Abuse" as it applies to a "child" as those terms are defined in [ORS 419B.005](#).

(b) "Abuse" as it applies to a "child in care" as those terms are defined in [ORS 418.257](#).

(c) "Abuse" as it applies to an "adult" as those terms are defined in [ORS 430.735](#).

(d) "Abuse" as defined in [ORS 124.005](#) and [OAR 411-020-0002](#) for older adults and adults with a physical disability who are 18 years of age or older.

(3) "Business Day" means the day that the "Local Office" is open for business.

(4) "Care Coordination" means the email, faxes, phone calls, meetings and other types of information exchange, consultation, and advocacy provided by an RN on behalf of an individual that is necessary for the RN to conduct assessments, complete medication reviews, provide for individual safety needs, and implement an individual's Nursing Service Plan.

(5) "Caregiver" means any person responsible for providing services to an eligible individual in a Medicaid-funded home and community-based setting. A caregiver may include an unlicensed person as a designated caregiver as described in [OAR chapter 851, division 048](#).

(6) "Case Manager" means a person employed by the Department, CDDP, Support Services Brokerage, or AAA who assesses the service needs of an applicant, determines eligibility, and offers service choices to the eligible individual. The case manager authorizes and implements an individual's plan for services and monitors the services delivered.

(7) "CDDP" means "Community Developmental Disability Program" as defined in [OAR 411-317-0000](#).

(8) "Day Support Activities" as defined in [OAR 411-317-0000](#).

(9) "Delegation" means the standards and processes described in [OAR chapter 851, division 047](#).

(10) "Department" means the Oregon Department of Human Services or the Department's designee.

(11) "Department Approved Form" means the forms used by an RN and case manager to support these rules. The Department maintains these documents on the Department's website (<https://www.oregon.gov/dhs/SENIORS-DISABILITIES/PROVIDERS-PARTNERS/LTCCN/Pages/forms.aspx>).

(12) "Direct Hands-on Nursing" means an RN providing treatment or therapies directly to an individual instead of teaching or delegating the tasks of nursing to the individual's caregiver. Payment for direct hands-on nursing services is not reimbursed unless an exception has been granted by the Department as described in [OAR 411-048-0170](#).

(13) "Documentation" means a written record of all services provided to, and for, an individual and an individual's caregiver that is maintained by an RN as described in [OAR 411-048-0200](#).

(14) "Employment Services" through the Office of Developmental Disabilities Services as defined in [OAR 411-317-0000](#) or through Vocational Rehabilitation as described in [OAR chapter 582](#).

(15) "Enrolled Medicaid Provider" means an entity or individual that meets and completes all the requirements in these rules, [OAR 407-120-0300 to 0400](#), and [OAR chapter 410, division 120](#), as applicable.

(16) "Healthcare Provider" means a licensed provider delivering services to an eligible individual such as, but not limited to, home health, hospice, mental health, primary care, specialty care, durable medical equipment, pharmacy, or hospitalization.

(17) "Home" means a non-licensed setting where an individual is receiving Medicaid-funded home and community-based services.

(18) "Home and Community-Based Services" as defined in [OAR 411-004-0010](#).

(19) "Home Health Agency" as defined in [ORS 443.014](#).

(20) "Individual" means a person eligible for long term care community nursing services under these rules.

(21) "In-Home Care Agency" as defined in [ORS 443.305](#).

(22) "Local Office" means the Department office, AAA, CDDP, or Support Services Brokerage, responsible for Medicaid services including case management, referral, authorization, and oversight of long term care community nursing services in the region where the individual lives and where the long term care community nursing services are delivered.

(23) "Long Term Care Community Nursing Services" mean a distinct set of services that focus on an individual's chronic and ongoing health and activity of daily living needs. Long term care community nursing services include an assessment, monitoring, delegation, teaching, and coordination of services that addresses an individual's health and safety needs in a Nursing Service Plan that supports individual choice and autonomy. The requirements in these rules are provided in addition to any nursing related requirements stipulated in the licensing rules governing the individual's place of residence.

(24) "Medication Review" means a review focused on an individual's medication regime that includes examination of the prescriber's orders and related administration records, consultation with a pharmacist or the prescriber, clarification of PRN (as needed) parameters, and the development of a teaching plan based upon the needs of the individual or

the individual's caregiver. In an unlicensed setting, the medication review may include observation and teaching related to administration methods and storage systems.

(25) "Nursing Assessment" means one of the following assessments selected by an RN based on an individual's need and situation:

(a) A "nursing assessment" as described in [OARs 851-045-0060](#) or [851-047-0030](#); or

(b) A "comprehensive assessment" or "focused assessment" as defined in [OAR 851-006-0000](#).

(26) "Nursing Service Plan" means the plan that is developed by an RN based on an individual's initial nursing assessment, reassessment, or updates made to a nursing assessment as a result of monitoring visits.

(a) The Nursing Service Plan is specific to the individual and identifies the individual's diagnoses and health needs, the caregiver's teaching needs, and any care coordination, teaching, or delegation activities.

(b) Nursing service plans must meet the standards in [OAR chapter 851, division 045](#). The Nursing Service Plan is separate and distinct from any other service plans the individual may have, including service plans developed by other healthcare providers.

(27) "OSBN" means the Oregon State Board of Nursing. OSBN is the agency responsible for regulating nursing practice and education for the purpose of protecting the public's health, safety, and well-being.

(28) "Rate Schedule" means the rate schedule maintained by the Department in [OAR 411-027-0170](#) and posted at <http://www.dhs.state.or.us/spd/tools/program/osip/rateschedule.pdf>.

(29) "RN" means a registered nurse licensed by the OSBN. An RN providing long term care community nursing services under these rules is either an independent contractor who is an enrolled Medicaid provider or an employee of an organization that is an enrolled Medicaid provider.

(30) "Support Services Brokerage" means "Brokerage" as defined in OAR [411-317-0000](#).

(31) "These Rules" mean the rules in OAR chapter 411, division 048.

Stat. Auth.: ORS [409.050](#), [410.070](#)

Stats. Implemented: ORS [409.010](#), [410.070](#)

411-048-0170 Eligibility and Limitations

(Amended 08/25/2021)

(1) ELIGIBILITY. Long term care community nursing services may be provided by an RN to an individual if the individual meets the following requirements:

(a) The individual must be determined eligible for Medicaid-funded home and community-based services provided through the Department.

(b) The individual must be receiving services through one of the following:

(A) A child who lives in the family home and receives children's intensive in-home services as described in [OAR chapter 411, division 300](#).

(B) An adult foster home for:

(i) Individuals with intellectual or developmental disabilities as described in [OAR chapter 411, division 360](#); or

(ii) Individuals found eligible for service in [OAR chapter 411, division 015](#) residing in a Medicaid enrolled adult foster home as described in [OAR chapter 411, divisions 049 through 052](#).

(C) A foster home for children with intellectual or developmental disabilities as described in [OAR chapter 411, division 346](#).

(D) An adult or child who live in their own or family home as described in [OAR chapter 411, division 030](#) or [division 450](#).

(E) Independent Choices Program participants as described in [OAR chapter 411, division 030](#).

(F) State Plan personal care participants as described in [OAR chapter 411, division 034](#) or [division 455](#).

(G) An adult who is eligible to receive day support activities as described in [OAR chapter 411, division 450](#) or eligible to receive employment services as described in [OAR chapter 411, division 345](#).

(i) Long term care community nursing services may be provided for individuals while receiving services in settings for employment services or day support activities regardless of their residential home and community-based setting.

(ii) Eligibility for long term care community nursing services for individuals eligible to receive day support activities or employment services applies on the effective date of the Centers for Medicare and Medicaid Services' approval of Oregon's 1915(k) State Plan amendment.

(c) The individual must be referred by their case manager for long term care community nursing services. Individuals may request long term care community nursing services through their case manager.

(2) LIMITATIONS.

(a) Long term care community nursing services may not be provided to:

(A) A resident of a nursing facility, assisted living facility, or residential care facility.

(B) An individual residing in a setting where nursing services are provided as part of their contract with the Department.

(b) Case managers may not prior authorize long term care community nursing services that duplicate nursing services provided by Medicare or other Medicaid programs.

(c) Long term care community nursing services do not include nursing activities used for administrative functions such as protective service investigations, pre-admission screenings, eligibility determinations, licensing inspections, case manager assessments, or corrective action activities. This limitation does not include authorized care coordination as defined in [OAR 411-048-0160](#).

(d) Long term care community nursing services do not include reimbursement for direct hands-on nursing as defined in [OAR 411-048-0160](#).

(3) EXCEPTIONS. An exception to sections (2)(c) and (2)(d) of this rule may be requested as described in [OAR 411-048-0250](#).

Stat. Auth.: ORS [409.050](#), [410.070](#)

Stats. Implemented: ORS [409.010](#), [410.070](#)

411-048-0180 Long Term Care Community Nursing Services (Amended 08/25/2021)

When authorized by an individual's case manager, the following long term care community nursing services must be provided by an RN in accordance with these rules and the scope of practice as stated in the OSBN rules in [OAR chapter 851](#).

(1) REVIEW OF REFERRAL. An RN must screen a referral and notify the individual's case manager of their decision to accept or refuse the referral within two business days of receiving the referral on the Department approved form. The RN may refuse any referral.

(2) INITIAL ASSESSMENT. The RN must perform a face-to-face comprehensive nursing assessment as described in [OAR 851-045-0060](#) within 10 business days following the acceptance of the individual's referral.

(a) The RN must conduct and document the comprehensive nursing assessment as specified in [OAR chapter 851, division 045](#).

(b) The RN must send copies of the comprehensive nursing assessment to the individual's case manager. If the RN recommends ongoing long term care community nursing services, the RN must send a Nursing Service Plan as described in section (4) of this rule with the individual's comprehensive nursing assessment.

(3) REASSESSMENT. The RN must perform a face-to-face reassessment and update the individual's Nursing Service Plan at least annually and more frequently at the RN's discretion if the individual experiences a change of condition or change of environment. Based on individual need, the RN must determine if this reassessment is a focused or comprehensive assessment as described in [OAR 851-045-0060](#).

(a) The RN must conduct and document the comprehensive or focused assessment as specified in [OAR chapter 851, division 045](#).

(b) The RN must complete the reassessment within 10 business days of the date the reassessment started.

(c) The RN must send copies of the reassessment to the individual's case manager and include an updated Nursing Service Plan as described in section (4) of this rule.

(4) NURSING SERVICE PLAN. Based on the initial assessment or reassessment, the RN must develop or update the individual's Nursing Service Plan.

(a) The Nursing Service Plan must describe the needs of the individual and the individual's caregiver and the specific interventions the RN intends to provide to meet those needs including scope, duration, and frequency.

(b) An RN must complete and document Nursing Service Plans on the Department approved form and provide the Nursing Service Plan to an individual's case manager within 10 business days of the date that an initial assessment or a reassessment is initiated.

(c) An RN must attend a minimum of two Nursing Service Plan review meetings each year with a case manager. The RN and the case manager may agree to conduct the Nursing Service Plan review meeting by phone.

(5) DELEGATION. An RN must follow the standards and documentation requirements for delegation of nursing tasks as required by OAR chapter 851, division 047.

(a) The RN alone, based on professional judgment and regulation, makes the determination to delegate or not delegate a nursing task, or to rescind a delegation.

(b) The RN must provide the case manager with an estimate of the number of hours of delegation the individual needs on the Nursing Service Plan and keep the case manager informed of ongoing delegation activities on the Service Summary form.

(c) The RN must keep providers informed of the delegation decisions and activities provided to caregivers in their Medicaid-funded home and community-based setting.

(6) TEACHING. An RN must follow the standards and documentation requirements for teaching health promotion as described in [OAR 851-045-0060](#).

(a) In an overall teaching plan, the RN must describe and document the reason the teaching is needed and the specific goals for the individual or the individual's caregiver.

(b) An RN must follow the standards for community based care RN delegation in [OAR chapter 851, division 047](#) and the standards for provision of nursing care by a designated caregiver in [OAR chapter 851, division 048](#) when teaching an individual and the individual's caregiver the nursing tasks needed to meet the individual's health care needs.

(c) Teaching related to non-injectable medications or anticipated emergencies must be provided by an RN in accordance with [OAR chapter 851, division 047](#).

(7) MONITORING. An RN must provide home based monitoring visits sufficient in frequency and duration to oversee and implement an individual's Nursing Service Plan.

(a) The RN must document the projected frequency of monitoring visits in an individual's Nursing Service Plan and may adjust the frequency based on the complexity of the Nursing Service Plan and the individual's needs.

(b) Calls with providers, caregivers, or an individual to review health status, follow up on instructions, or exchange information related to care coordination are considered a monitoring visit.

(8) MEDICATION REVIEW. An RN must provide a medication review during each monitoring visit and as part of an initial assessment or reassessment. The scope of a medication review shall be based on the RN's judgment and the needs of the individual or the individual's caregiver. Information gathered as part of a medication review may result in changes to an RN's Teaching Plan or care coordination activity.

(9) CARE COORDINATION. An RN provides care coordination in order to advocate for health care services that an individual needs and to gather the information that is needed in the assessment or reassessment process, medication review, or Nursing Service Plan implementation. An RN uses care coordination to provide updated information to people involved in an individual's health care via phone calls, faxes, electronic mediums, or meetings. Care coordination is provided, but not limited, to case managers, other nurses, healthcare providers, and non-caregiving family members or legal representatives.

(10) Time spent completing the services described in sections (3) through (9) of this rule may be included in the claim for the respective service but must meet documentation standards specified in [OAR 410-120-1360\(2\)\(a\)\(b\)](#).

(11) PRIOR AUTHORIZATION. All long term care community nursing services in sections (2) through (9) of this rule must be prior authorized by an individual's case manager.

(a) An RN must use an individual's Nursing Service Plan to estimate the number of hours needed for long term care community nursing services within a six month time period. The RN must document the estimated number of long term care community nursing service hours on the Department approved form for authorization and send the Department approved form for authorization to the individual's case manager.

(b) The case manager must authorize the proposed hours after reviewing the individual's completed Nursing Service Plan. The case manager must complete the prior authorization within five business days of receiving the Department approved form for authorization and the individual's completed Nursing Service Plan.

(12) Prior authorization for the initial assessment and delegation of services described in sections (2) and (5) of this rule is granted once the Department approved form for referral is signed by the RN and the individual's case manager. The payment received by an RN for initial assessment shall include compensation for all long term care community nursing services excluding delegation, provided by the RN to the individual and the individual's caregiver. Payment is not provided until prior authorization as described in section (11) of this rule has been provided to the RN by the individual's case manager.

(13) An RN must use the Department approved Service Summary form as the communication tool for case managers and caregivers to document the monitoring, care coordination, teaching, delegation, or other services as noted in these rules provided to each individual.

(14) A local office manager may grant an exception to the timeframes required in this rule on a case specific basis.

Stat. Auth: [ORS 409.050](#), [410.070](#)

Stats. Implemented: [ORS 409.010](#), [410.070](#)

411-048-0190 Communication and Notification Practices (Adopted 4/15/2013)

(1) MANDATORY REPORTING. An RN must report suspected or known neglect or abuse of all older adults, adults, and children as required by

OSBN and [ORS 124.050 to 124.095](#), [ORS 430.735 to 430.765](#), and [ORS 419B.005 to 419B.045](#).

(2) CONFIDENTIALITY.

(a) An RN must adhere to the OSBN confidentiality standards as described in [OAR chapter 851](#) as well as the federal regulations adopted to implement the Health Insurance Portability and Accountability Act.

(b) An RN must provide all written, verbal, digital, video, and electronic information regarding an individual in accordance with the Department's confidentiality parameters as described in [OAR chapter 407, division 014](#) and the federal regulations adopted to implement the Health Insurance Portability and Accountability Act.

(3) NOTIFICATION.

(a) An RN must immediately communicate possible life-threatening health and safety concerns to:

(A) The local office protective service worker, worker of the day, or case manager; and

(B) 911, police, or physician if needed to address emergent or urgent safety concerns.

(b) If while performing long term care community nursing services under these rules an RN determines that an individual's health condition is unstable or a significant change of condition is noted, the RN must either notify the individual's physician or primary care provider directly or ensure that the individual's caregiver has reported this information to them.

(c) An RN must notify the individual's case manager or local office management within one business day of non life threatening but high risk concerns including changes in condition as described in subsection (b) of this section, concerns about placement, or concerns about a caregiver's performance.

(d) An RN must notify the individual's case manager if the RN becomes aware that an individual has recently received a significant healthcare intervention such as an emergency room visit, hospitalization, a change in physician, referral to a specialist, home health, or hospice.

Stat. Auth.: [ORS 410.070](#)

Stats. Implemented: [ORS 410.070](#)

411-048-0200 Additional Documentation Requirements

(Adopted 4/15/2013)

(1) An RN must meet the documentation, record keeping, and communication standards as required by the Department in addition to the documentation, record keeping, and communication standards as required by the OSBN in [OAR chapter 851](#). Compliance with these standards ensures communication between an RN and an individual's case manager and caregiver.

(2) The documentation standards in this rule and on Department approved forms provided by the Department do not replace or substitute for the documentation requirements in the:

(a) Rules for professional nursing standards as prescribed by the OSBN in [OAR chapter 851](#), [divisions 045](#), [047](#), and [48](#);

(b) Medicaid provider rules governing provider requirements as described in [OAR chapter 407, division 120](#); and

(c) As applicable, the Medicaid General Rules described in [OAR chapter 410, division 120](#).

(3) An RN is expected to complete the Department approved forms specified by the Department to support the long term care community nursing services in these rules. The Department may approve the use of alternative but equivalent forms.

(4) An RN must send copies of the completed Department approved forms to the case manager prior to or at the time of invoice submission.

Documentation must support the long term care community nursing services billed and adhere to the timeframes noted in these rules.

(a) An individual's case manager must receive the required Department approved forms and documentation to pay a claim.

(b) Failure to comply with the documentation standards in this rule may result in the determination of overpayment for which restitution may be sought.

(5) All documentation must be provided in HIPAA secured format.

(6) The self-employed RN that is enrolled as a Medicaid provider or an agency enrolled as a Medicaid provider as described in [OAR 411-048-0210](#) must maintain a record of all long term care community nursing services provided to each assigned individual and the individual's caregiver.

(a) The record must include copies of all documentation provided to the local office as well as any additional documentation the RN or agency maintained to meet OSBN or Medicaid provider rules.

(b) The RN must retain the record until the RN no longer provides long term care community nursing services to the individual, at which time the RN or agency must provide the individual's case manager a copy of any part of the record not previously provided.

(c) The RN or agency must retain original records for each individual following HIPAA practices for a period of seven years.

Stat. Auth.: [ORS 410.070](#)

Stats. Implemented: [ORS 410.070](#)

411-048-0210 Qualifications for Enrolled Medicaid Providers

(Amended 08/25/2021)

(1) The Department may determine the number and type of enrolled Medicaid providers in a geographic area to assure that there is an appropriate number of qualified enrolled Medicaid providers to meet the needs of individuals eligible for long term care community nursing services.

(2) The Department shall select qualified enrolled Medicaid providers for long term care community nursing services according to the standards in these rules, [OAR 407-120-0320](#), and [OAR chapter 410, division 120](#) as applicable.

(3) The long term care community nursing services provided under these rules may be delivered by the following enrolled Medicaid providers:

(a) An RN who is a self-employed provider.

(b) Home health agencies meeting the requirements in [OAR chapter 333, division 027](#).

(c) In-home care agencies meeting the requirements in [OAR chapter 333, division 536](#).

(4) A self-employed RN who contracts with the Department to provide long term care community nursing services under these rules must:

(a) Pass a background check as defined in [OAR 407-007-0010](#); and

(b) Provide and have available verification of all of the following:

(A) A current and unencumbered Oregon Registered RN license.

(B) Certification of professional liability insurance and commercial general liability insurance with coverage that meets Department requirements.

(C) Documentation supporting qualifications and expertise:

(i) A minimum of three years experience practicing as an RN in an in-home, home health, skilled nursing, hospital, or Department licensed community setting. At least one of these three years must have occurred within three years of the date the RN contracted with the Department to provide long term care community nursing services.

(ii) Experience providing nursing delegation or a pass score on the Department's nursing delegation self study test.

(D) Contact information for people or entities that verify the qualifications and expertise documented pursuant to this section.

(c) The RN must attend a contract briefing session with the local office management to review contract expectations.

(5) Agencies listed in section (3)(b) and (c) of this rule who contract with the Department to provide long term care community nursing services under these rules must:

(a) Maintain compliance with existing in home or home health agency licensing rules;

(b) Maintain a separate contract with the Department to provide Medicaid funded in home care agency services;

(c) Provide and have available verification of all of the following:

(A) A current and unencumbered Oregon Registered RN license.

(B) Certification of professional liability insurance and commercial general liability insurance with coverage that meets Department requirements.

(C) Documentation verifying the qualification and expertise of the RNs hired by the agency to provide long term care community nursing services including:

(i) Experience providing nursing delegation or a pass score on the Department's nursing delegation self study test;

(ii) Contact information for people or entities that verify the qualifications and experience documented pursuant to this section; and

(iii) A background check as defined in [OAR 407-007-0010](#).

(D) Evidence of policies and procedures ensuring that the agency and its employees follow the specific standards in OAR chapter 411, division 048 that may exceed [OAR chapter 333, divisions 027 or 536](#).

Stat. Auth.: [ORS 409.050, 410.070](#)

Stats. Implemented: [ORS 409.010, 410.070](#)

411-048-0220 Medicaid Provider Disenrollment /Termination
(Amended 08/25/2021)

(1) Enrolled Medicaid providers of long term care community nursing services, or RN employees of an agency enrolled as a Medicaid provider delivering long term care community nursing services may be denied enrollment, terminated, or prohibited from providing long term care community nursing services for any of the following:

(a) Violation of any part of these rules.

(b) Violation of the protective service and abuse rules in [OAR chapter 411, division 020](#) and [OAR chapter 407, division 045](#).

(c) Any sanction or action as a result of an OSBN investigation.

(d) Failure to keep required licensure or certifications current.

(e) Failure to provide copies of the records described in these rules to designated Department or Oregon Health Authority entities.

(f) Repeated failure to participate in Nursing Service Plan review or care coordination meetings when requested by an individual's case manager.

(g) Failure to obtain a pass score on the Department's delegation self study test if requested by the Department.

(h) Failure to provide services.

(i) Fraud or misrepresentation in the provision of long term care community nursing services.

(j) Evidence of conduct derogatory to the standards of nursing as described in [OAR 851-045-0070](#) that results in referral to OSBN.

(k) A demonstrated pattern of repeated unsubstantiated complaints of neglect or abuse per [OAR chapter 411, division 020](#) or [OAR chapter 407, division 045](#).

(l) Exclusion by the Office of Inspector General from participating in publicly funded programs.

(2) Enrolled Medicaid providers may appeal a termination of their Medicaid provider number based on [OAR 407-120-0360\(8\)\(g\)](#) and [OAR chapter 410, division 120](#) as applicable.

(3) Enrolled Medicaid providers of long term care community nursing services must provide advance written notice to the Department at least 30 days prior to no longer providing long term care community nursing services.

(4) An RN ending long term care community nursing services must comply with the OSBN's standards regarding transition of care and transfer or rescinding of delegations per [OAR chapter 851, division 047](#).

Stat. Auth.: [ORS 409.050](#), [410.070](#)

Stats. Implemented: [ORS 409.010](#), [410.070](#)

411-048-0230 Compensation and Billing

(Adopted 4/15/2013)

(1) All long term care community nursing services must be authorized by an individual's case manager using Department approved forms provided by

the Department prior to the delivery of long term care community nursing services.

(2) All billing and claims must comply with:

- (a) [OAR 407-120-0330 and 407-120-0340](#);
- (b) [OAR chapter 410, division 120](#) as applicable; and
- (c) The Long Term Care Nursing Procedure Codes and Payment Authorization Guidelines posted at <http://www.oregon.gov/dhs/spd/pages/provtools/nursing/forms.aspx>.

(3) Compensation for long term care community nursing services in [OAR 411-048-0180](#) shall be defined in the Department's rate schedule or through a contract with the Department. The Department may adjust rates in underserved areas to assure that individuals have access to long term care community nursing services.

(4) Payment for non-Medicaid covered services must be prior authorized by the Department and billed on Department approved invoices.

(a) Rates for non-Medicaid services shall be determined by the Department but may not exceed the rate noted on the Department's rate schedule.

(b) The Department makes payment for non-Medicaid covered services within 45 days of receipt of the completed invoice.

Stat. Auth.: [ORS 410.070](#)

Stats. Implemented: [ORS 410.070](#)

411-048-0240 Orientation Requirements

(Adopted 4/15/2013)

(1) Self-employed RN providers as described in [OAR 411-048-0210](#) must attend a total of 12 hours of office or field based orientation. Field based orientation must be provided by an experienced RN prior approved by the local office.

(2) Local office management may authorize additional orientation or field mentorship hours if mutually agreed upon by the newly contracted RN and the local office manager

(3) Each RN providing long term care community nursing services as an employee of an agency as described in [OAR 411-048-0210](#) must attend a total of 12 hours of office or field based orientation approved by the local office.

(4) Local office managers may exempt an RN employed by an agency or a self-employed RN provider from all or part of orientation activities based on written request from the agency or self-employed RN provider describing an alternative orientation plan. The agreed upon alternative orientation plan must be signed by either the agency or self-employed provider and local office management. The local office must provide a copy of the signed alternative orientation plan to the Department.

Stat. Auth.: [ORS 410.070](#)

Stats. Implemented: [ORS 410.070](#)

411-048-0250 Exceptions

(Adopted 4/15/2013)

(1) The Department may grant an exception to these rules. Implementation of an exception may not occur without the Department's written approval.

(2) A request for an exception to these rules must include but not be limited to the following standards:

(a) A written exception request must be provided to central office Department management for prior approval. The exception request must include;

(A) Local office management support for the exception request;

(B) A description of the benefit to the individual served by the Department that may occur as result of the exception; and

(C) Details regarding the specific rule for which the exception may be granted, the rationale for why the exception is needed,

the proposed duration of the exception, identification of alternatives (including rule compliance), and costs of the exception if any.

(b) The exception may not impact compliance with any rules other than these rules for long term care community nursing services in OAR chapter 411, division 048.

(c) The exception may not result in non compliance with the Department's contract standards.

Stat. Auth.: [ORS 410.070](#)

Stats. Implemented: [ORS 410.070](#)