

OFFICE OF THE SECRETARY OF STATE
BEV CLARNO
SECRETARY OF STATE

A. RICHARD VIAL
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION
STEPHANIE CLARK
INTERIM DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

PERMANENT ADMINISTRATIVE ORDER

DMAP 25-2019

CHAPTER 410
OREGON HEALTH AUTHORITY
HEALTH SYSTEMS DIVISION: MEDICAL ASSISTANCE PROGRAMS

FILED

06/26/2019 10:44 AM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Complying with DHS Chapter 461 on Calculation and Liability of Overpayments and Authorized Representative Rules

EFFECTIVE DATE: 07/01/2019

AGENCY APPROVED DATE: 06/26/2019

CONTACT: Kim Stubenrauch 500 Summer St. NE
503-975-7026 Salem, OR 97301
kim.stubenrauch@dhsosha.state.or.us

Filed By:
Sandy Cafourek
Rules Coordinator

AMEND: 410-120-0006

RULE TITLE: Medical Eligibility Standards

NOTICE FILED DATE: 04/30/2019

RULE SUMMARY: In OAR 410-120-0006, the Division adopts and incorporates Department rules. The Division is amending this rule that incorporates rules established in OAR Chapter 461 for all overpayment, personal injury liens, and estate administration for Authority programs covered under OAR 410-200. References to OAR Chapter 461 in contracts of the Authority are deemed to be references to the requirements of this rule. OAR 461-195-0521 about the calculation of overpayments is being amended to make permanent temporary rule changes effective March 1, 2019, removing outdated program names and clarifying overpayment liability in OCCS medical programs related to the actions of an authorized representative. These changes are part of updating authorized representative rules for Integrated Eligibility. OAR 461-195-0541 about liability for overpayments is being amended to make permanent temporary rule changes effective March 1, 2019, updating cross-references and indicating when authorized representatives are liable for overpayments. These changes are part of updating the authorized representative rules for Integrated Eligibility.

RULE TEXT:

As the state Medicaid and CHIP agency, the Oregon Health Authority (Authority) is responsible for establishing and implementing eligibility policies and procedures consistent with applicable law. As outlined in OAR 943-001-0020, the Authority and the Department of Human Services (Department) work together to adopt rules to assure that medical assistance eligibility procedures and determinations are consistent across both agencies.

- (1) The Authority adopts and incorporates by reference the rules established in OAR Chapter 461 for all overpayment, personal injury liens, and estates administration for Authority programs covered under OAR chapter 410, division 200.
- (2) Any reference to OAR chapter 461 in contracts of the Authority are deemed to be references to the requirements of this rule and shall be construed to apply to all eligibility policies, procedures, and determinations by or through the Authority.
- (3) For purposes of this rule, references in OAR chapter 461 to the Department or to the Authority shall be construed to

be references to both agencies.

STATUTORY/OTHER AUTHORITY: ORS 413.042

STATUTES/OTHER IMPLEMENTED: ORS 413.042, 414.065