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TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

DMAP 122-2018

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

FILED
12/27/2018 8:08 AM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Updates the Covered and Non-Covered Services According to the Prioritized List January 1, 2019

EFFECTIVE DATE: 01/01/2019 THROUGH 06/29/2019

AGENCY APPROVED DATE: 12/26/2018

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Rules Coordinator

NEED FOR THE RULE(S):

The OHP program administrative rules govern the Division's payments for services provided to clients. The Authority needs to temporarily amend 410-141-0520 to reference the approved Health Evidence Review Commission (HERC) Prioritized List of Health Services, effective January 1, 2018 – December 31, 2019, and incorporating interim modifications and annotations approved through November 8, 2018, and not made under a previous rule filing. The changes will be effective January 1, 2019.

JUSTIFICATION OF TEMPORARY FILING:

The Authority finds that failure to act promptly will result in serious prejudice to the public interest, the Authority, providers, and clients receiving services. These rule changes need to be adopted promptly so that the Authority is in compliance with CMS regulations. This temporary rulemaking action will avoid or mitigate the risks mentioned above by incorporating in rule the interim modifications made to the Prioritized List of Health Services and ensure the consistent provisions of medically and dentally appropriate services.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

(1) November 30, 2018, cover letter from HERC to Oregon Legislative leadership reporting interim modifications and technical changes viewable at <https://www.oregon.gov/oha/HPA/DSI-HERC/PrioritizedList/Notice%20Of%20Interim%20Changes%201-19.pdf>. (2) HERC Prioritized List of Health Services found at:

Pending List: <https://www.oregon.gov/OHA/HPA/DSI-HERC/Pages/Prioritized-List-Pending.aspx>

Current List: <https://www.oregon.gov/OHA/HPA/DSI-HERC/Pages/Prioritized-List.aspx>

AMEND: 410-141-0520

RULE TITLE: Prioritized List of Health Services

RULE SUMMARY: The OHP program administrative rules govern the Division's payments for services provided to clients. The Authority needs to temporarily amend 410-141-0520 to reference the approved Health Evidence Review

Commission (HERC) Prioritized List of Health Services, effective January 1, 2018 – December 31, 2019, and incorporating interim modifications and annotations approved through November 8, 2018, and not made under a previous rule filing. The changes will be effective January 1, 2019.

RULE TEXT:

(1) The Health Evidence Review Commission (HERC) Prioritized List of Health Services (Prioritized List) is the listing of physical and behavioral health services with “expanded definitions” of practice guidelines and statements of intent 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: <https://www.oregon.gov/OHA/HPA/CSI-HERC/Pages/Prioritized-List.aspx>. For a hard copy, contact the Division within the Oregon Health Authority (Authority).

(2) This rule, effective January 1, 2019, incorporates by reference new interim modifications to the Centers for Medicare and Medicaid Services’ (CMS) approved biennial January 1, 2018–December 31, 2019, Prioritized List funded through line 469. This amended Prioritized List includes revised line items and new/revised guideline notes, statements of intent, coding specifications, and annotations that supersede those found in the October 1, 2018, Prioritized List.

STATUTORY/OTHER AUTHORITY: ORS 413.042, ORS 414.065

STATUTES/OTHER IMPLEMENTED: ORS 414.065, ORS 414.727