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TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

DMAP 88-2023

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

FILED

12/19/2023 1:37 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Adopt the January 2024 Prioritized List of Health Services for the Oregon Health Plan

EFFECTIVE DATE: 01/01/2024 THROUGH 06/28/2024

AGENCY APPROVED DATE: 12/19/2023

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NEED FOR THE RULE(S):

This rule specifies that the Oregon Health Authority (OHA) uses the Health Evidence Review Commission's (HERC's) Prioritized List of Health Services to define the covered benefit. The rule is needed to give the specific version of the list and effective date for that version.

JUSTIFICATION OF TEMPORARY FILING:

(1) HERC has adopted a new version of the prioritized list to be effective 1/1/2024. This temp rule is needed to specify that the Oregon Health Plan (OHP) also adopts this new version so that OHP members can access new coverage as the HERC intends.

(2) Oregonians with OHP benefits.

(3) Oregonians with OHP benefits would miss out on new coverage and benefit changes.

(4) This temporary action will allow OHA to update the OHP benefits on 1/1/2024 as scheduled.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

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

AMEND: 410-141-3830

RULE TITLE: Prioritized List of Health Services

RULE SUMMARY: Adopt the January 2024 Prioritized List of Health Services for the Oregon Health Plan, which is created by the Health Evidence Review commission.

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 generated and maintained by HERC. The Authority may apply criteria listed in Statements of Intent and Practice Guidelines (Guideline Notes, Ancillary Guideline Notes, and Diagnostic Guideline Notes) from the Prioritized List to codes and lines not explicitly specified in that guideline note and to services such as diagnostic, ancillary and excluded irrespective of their inclusion on the lines of the Prioritized List. The HERC maintains the most current list on their website: <https://www.oregon.gov/OHA/HPA/DSI-HERC/Pages/Prioritized-List.aspx>. For a hard copy, contact the Division within the Oregon Health Authority (Authority).

(2) This rule, effective January 1, 2024, incorporates by reference the January 1, 2024 Prioritized List, funded through line 469 and including all line items, diagnosis and treatment codes, guideline notes, statements of intent, coding specifications and annotations. This Prioritized List dated January 1, 2024 supersedes the October 1, 2023 Prioritized List for services provided after January 1, 2024, and includes interim modifications reported as required under ORS 414.690(7) and (8).

STATUTORY/OTHER AUTHORITY: ORS 414.065, ORS 413.042

STATUTES/OTHER IMPLEMENTED: ORS 414.065, ORS 414.727