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TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

DMAP 8-2020
CHAPTER 410
OREGON HEALTH AUTHORITY
HEALTH SYSTEMS DIVISION: MEDICAL ASSISTANCE PROGRAMS

FILED
03/15/2020 11:34 AM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Updates to the Prioritized List of Covered Health Services to Improve Access to Telehealth

EFFECTIVE DATE: 03/15/2020 THROUGH 09/10/2020

AGENCY APPROVED DATE: 03/13/2020

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Filed By:

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NEED FOR THE RULE(S):

The Authority finds that failure to act promptly will result in serious prejudice to the public interest, the Authority, providers, and clients receiving services. In light of the COVID-19 epidemic, this interim modification will facilitate clients' access to urgently needed telephone and telemedicine services. It will mitigate the risk of financial harm to key providers and reduce barriers to provision of key services with less risk of contagion. This temporary rulemaking action will avoid or mitigate the risks mentioned above by incorporating in rule the technical changes and interim modifications as specified in the Prioritized List of Health Services.

JUSTIFICATION OF TEMPORARY FILING:

The Authority finds that failure to act promptly will result in serious prejudice to the public interest, the Authority, and recipients of Medicaid benefits. These rules need to be adopted promptly in light of the COVID-19 epidemic. This rule change reflecting interim modifications to the Prioritized List of Health Services will facilitate Oregon Health Plan members access to urgently needed telephone and telemedicine services. It will mitigate the risk of financial harm to key providers and reduce barriers to provision of key services with less risk of contagion.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

(1) March 13, 2020, cover letter from HERC to Oregon Legislative leadership reporting interim modifications and technical changes: <https://www.oregon.gov/oha/HPA/DSI-HERC/PrioritizedList/3-13-20%20Interim%20Modifications%20to%20Prioritized%20List.pdf>

(2) HERC Prioritized List of Health Services found at:

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

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

AMEND: 410-141-3830

RULE TITLE: Prioritized List of Health Services

RULE SUMMARY: In light of the COVID-19 epidemic, this rule change reflecting interim modifications to the Prioritized List of Health Services will facilitate Oregon Health Plan members' access to urgently needed telephone and telemedicine services. It will mitigate the risk of financial harm to key providers and reduce barriers to provision of key services with less risk of contagion. In light of the COVID-19 epidemic, this rule change reflecting interim modifications to the Prioritized List of Health Services will facilitate Oregon Health Plan members' access to urgently needed telephone and telemedicine services. It will mitigate the risk of financial harm to key providers and reduce barriers to provision of key services with less risk of contagion.

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/DSI-HERC/Pages/Prioritized-List.aspx>. For a hard copy, contact the Division within the Oregon Health Authority (Authority).

(2) This rule, effective March 15, 2020, incorporates by reference the January 1, 2020 Prioritized List, funded through line 471 and including all line items, diagnosis and treatment codes, guideline notes, statements of intent, coding specifications and annotations. The Prioritized List dated March 13, 2020 supersedes the January 1, 2020 Prioritized List for services provided after March 13, 2020, 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