

OFFICE OF THE SECRETARY OF STATE

LAVONNE GRIFFIN-VALADE  
SECRETARY OF STATE

CHERYL MYERS  
DEPUTY SECRETARY OF STATE  
AND TRIBAL LIAISON



ARCHIVES DIVISION

STEPHANIE CLARK  
DIRECTOR

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

## PERMANENT ADMINISTRATIVE ORDER

### DMAP 89-2024

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

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FILING CAPTION: Community Violence Prevention Services.

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CONTACT: Martha Martinez-Camacho

503-559-0830

hsd.rules@oha.oregon.gov

500 Summer Street NE

Salem, OR 97301

Filed By:

Martha Martinez-Camacho

Rules Coordinator

RULES:

410-152-0000, 410-152-0005, 410-152-0010, 410-152-0015, 410-152-0020, 410-152-0025, 410-152-0030

ADOPT: 410-152-0000

NOTICE FILED DATE: 03/07/2024

RULE SUMMARY: Implementation of Community Violence Prevention Services will allow victims of community violence to receive Hospital Based Violence Intervention Services from a certified Violence Prevention Professional. This coverage is specific to Medicaid recipients who receive treatment for an injury sustained from an act of community violence.

CHANGES TO RULE:

#### 410-152-0000

##### Purpose

(1) Community Violence Prevention services are evidence-based, trauma-informed, supportive, and non-psychotherapeutic services provided by a certified Violence Prevention Professional.

(2) Services are provided within or outside of a clinical setting for the purpose of promoting improved health outcomes and positive behavioral change, preventing injury, recidivism and reducing the likelihood that individuals who are victims of community violence may commit or promote violence themselves.

Statutory/Other Authority: Oregon Medicaid State Plan Amendment, 42 C.F.R 440.130 (c), House Bill 4045, 2022 Legislative Session

Statutes/Other Implemented: ORS 413.032, 413.042, 414.065

ADOPT: 410-152-0005

NOTICE FILED DATE: 03/07/2024

RULE SUMMARY: Violence Prevention Professional Certification Requirements.

CHANGES TO RULE:

410-152-0005

Violence Prevention Professional Certification Requirements.

To be certified as a Violence Prevention Professional, an individual shall:

(1) Be employed by a community-based organization who is enrolled with the Oregon Health Authority as a Medicaid billing provider. The community-based organization must also be affiliated with a licensed hospital in Oregon that authorizes the program to provide community violence prevention services to individuals in the hospital. ¶

(2) Complete thirty-five (35) hours of initial training on trauma informed care, de-escalation, conflict mediation, retaliation prevention, case management, victim advocacy and patient privacy with an Oregon Health Authority approved training and certification program for violence prevention professionals in Oregon.¶

(3) Six (6) hours of Oregon Health Authority approved continuing education every two (2) years that must include effects of trauma and violence, trauma-informed care, case management and advocacy, community violence prevention strategies and patient privacy (HIPAA, 45 CFR parts 160 & 164)¶

(4) Have lived experience, either as a victim of a violent injury as a result of community violence or as someone closely impacted by community violence.

Statutory/Other Authority: Oregon Medicaid State Plan Amendment, 42 C.F.R 440.130 (c), House Bill 4045, 2022 Legislative Session

Statutes/Other Implemented: ORS 413.032, 413.042, 414.065

410-152-0010

Definitions.

(1) "Authority" means the Oregon Health Authority.¶

(2) "Certification" means the national training and program credentials to be certified as a Violence Prevention Professional.¶

(3) "Certified Violence Prevention Professionals" mean mentors, violence interrupters, community members, credible messengers, advocates, and activists that have received certification through an Authority approved training and certification program. ¶

(4) "Community Based Organization" means a public or private nonprofit organization that is representative of a community or significant segments of a community and provides educational or related services to individuals in the community. See section (16) of this rule..¶

(5) "Community Violence" means intentional acts of interpersonal violence committed by individuals who are not intimately related to the victim. ¶

(6) "Community Violence Prevention Bundled Services" means the array of services included under one billing code. See OAR 410-152-0030. ¶

(7) "Community Violence Prevention Services" means evidence-based, trauma-informed, supportive and non-psychotherapeutic services provided by a certified violence prevention professional in any appropriate setting, for the purpose of promoting improved health outcomes and positive behavioral change, preventing further injury and future violence. ¶

(8) "Credible messengers" are individuals who can connect with and motivate at-risk people to successfully challenge and transform destructive thinking, attitudes, and actions.¶

(9) "Electronic signature" means an electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record. ¶

(10) "Hospital-based Violence Intervention Programs" are multidisciplinary programs that combine the efforts of medical staff with trusted community-based partners to provide safety planning, services, and trauma-informed care to violently injured people. ¶

(11) "Individual" means a victim of community violence who is receiving services. ¶

(12) "Intimate Partner Violence" means physical, sexual, or psychosexual harm by a current or former partner or spouse. ¶

(13) "Licensed Practitioner of the Healing Arts" means a physician or other practitioner licensed in the State of Oregon who is authorized within the scope of the Licensed Practitioner of the Healing Art's practice, as defined under state law, to diagnose and treat individuals with physical or mental disabilities or psychosocial, emotional, and behavioral disorders.¶

(14) "Multi-Disciplinary Care" is a collaborative approach to health care involving a diverse group of professionals working together to address all aspects of planning and ongoing care.¶

(15) "Plan of Care" means a presentation of information that easily describes the services and support being given to an individual.¶

(16) "Provider" means an organizational entity or qualified person that is certified to provide direct delivery of community violence prevention services. ¶

(17) "Social Determinants of Health" means conditions in the places where people live, learn, work, and play that affect a wide range of health risks and outcomes. ¶

(18) "Supportive Services" means assistance to obtain medically appropriate and medically necessary services to address social determinates of health.¶

(19) "Trauma" means an event, series of events, or set of circumstances that is experienced by an individual as physically or emotionally harmful or threatening and that has lasting adverse effects of the individual's functioning and physical, social emotional, or spiritual well-being. ¶

(20) "Trauma Informed Care" (TIC) means an approach to the delivery of behavioral health services that includes an understanding of trauma and an awareness of the impact it can have across settings, services, and populations. Trauma-informed care views trauma through an ecological and cultural lens and recognizes that context plays a significant role in how individuals perceive and process traumatic events, whether acute or chronic. TIC involves vigilance in anticipating and avoiding institutional processes and individual practices that are likely to retraumatize individuals who already have histories of trauma. TIC upholds the importance of consumer

participation in the development, delivery, and evaluation of services. ¶

(21) "Victim" means a person who was physically or psychological injured because of community violence. ¶

(22) "Wet signature" means the use of a physical signature, made by hand with a pen, to bind the party signing to the terms of the document upon which they leave their signature.

Statutory/Other Authority: Oregon Medicaid State Plan Amendment, 42 C.F.R 440.130 (c), House Bill 4045, 2022 Legislative Session

Statutes/Other Implemented: ORS 413.032, 413.042, 414.065

ADOPT: 410-152-0015

NOTICE FILED DATE: 03/07/2024

RULE SUMMARY: Community Violence Prevention Services.

CHANGES TO RULE:

410-152-0015

Community Violence Prevention Services.

(1) All Community Violence Prevention services provided by a community violence prevention program shall be performed by a certified Violence Prevention Professional.¶¶

(2) Community Violence Prevention services performed by a certified Violence Prevention Professional, shall be determined to be medically appropriate, medically necessary and appropriate for the individual's age. Community Violence Prevention services may include based on the individualized plan of care:¶¶

(a) Conflict mediation:¶¶

(b) Crisis intervention:¶¶

(c) Mentorship:¶¶

(d) Peer support and counseling:¶¶

(e) Case management:¶¶

(f) Referrals to certified or licensed health care professionals or social service providers; or¶¶

(g) Screening services to victims' community violence.¶¶

(3) Community Violence Prevention services shall be ordered or referred by a physician or other qualified licensed practitioner of the healing arts and shall be detailed in the individualized plan of care. ¶¶

(4) The type, frequency, and quantity of units of Community Violence Prevention services authorized in the plan of care shall be appropriate for the individual's age and designed to prevent further impacts of community violence, prevent future community violence, prolong life, and promote the physical and mental health and efficiency, of the individual. ¶¶

(5) Providers are required to provide health care language interpreter services for Medicaid members with Limited English Proficiency (LEP) and communication services for people who are deaf and hard of hearing pursuant to Title VI of the Civil Rights Act, The Americans with Disabilities Act (ADA), ORS 413.550 to 413.558, and subject to the requirements in OAR Chapter 950 Division 50. These services must be provided at no cost to the member.

Statutory/Other Authority: Oregon Medicaid State Plan Amendment, 42 C.F.R 440.130 (c), House Bill 4045, 2022 Legislative Session

Statutes/Other Implemented: ORS 413.032, 413.042, 414.065

ADOPT: 410-152-0020

NOTICE FILED DATE: 03/07/2024

RULE SUMMARY: Documentation Requirements

CHANGES TO RULE:

410-152-0020

Documentation Requirements.

(1) The Plan of Care shall include the individuals need for: safety planning, interest in employment, housing, education, mental health and substance abuse treatment services, gang affiliation, legal needs and history of injury within the last six (6) months. ¶

(2) Services rendered must be documented and signed, electronically or wet, by the certified Violence Prevention Professional rendering the service on each date of service. ¶

(3) The provider shall maintain a record of each service provided to each eligible individual for each date of service including, but not limited to:¶

(a) Name and Medicaid identification number of individual receiving the service:¶

(b) Name and credentials of the certified Community Violence Prevention professional:¶

(c) Date the service was provided:¶

(d) Description of each service provided to the individual to address the psychosocial and safety needs of the client to include coordination of all services and interventions as developed in the individuals plan of care. ¶

(e) Description of outcomes, including the individual's responsiveness to services and any change in the frequency of: emergency room visits, retaliatory violence, arrest and acute stress and post-traumatic stress disorder. ¶

(f) Document referrals to other identified services and supports, including referrals to entities completing eligibility assessments.¶

(4) The billing provider shall maintain adequate records for all Community Violence Prevention services rendered that fully supports the charges billed. Provider is responsible for the completeness, accuracy and secure storage of financial and clinical records and all other documentation of the specific care, service.

Statutory/Other Authority: Oregon Medicaid State Plan Amendment, 42 C.F.R 440.130 (c), House Bill 4045, 2022 Legislative Session

Statutes/Other Implemented: ORS 413.032, 413.042, 414.065

ADOPT: 410-152-0025

NOTICE FILED DATE: 03/07/2024

RULE SUMMARY: Eligibility Requirements

CHANGES TO RULE:

410-152-0025

Eligibility Requirements.

(1) To be eligible to receive Community Violence Prevention services performed by a certified Violence Prevention Professional the individual shall:

(a) be enrolled in the Oregon Health Plan;

(b) have a history of injury sustained because of an act of community violence;

(c) received a recommendation for services by a physician or other qualified licensed practitioner of the healing arts within the practitioner's scope of practice under the state law; and

(2) Individuals receiving Community Violence Prevention services shall have a plan of care in place that meets requirements described in section OAR 410-152-0030.

(a) The plan of care must be directed by the individual receiving Community Violence Prevention services; and

(b) The plan of care must be signed by the recipient of Community Violence Prevention services or a legal representative and the certified Violence Prevention Professional.

(c) The individual shall be re-assessed, and the plan of care shall be reviewed and updated by the certified Community Violence Prevention Professional every three months.

Statutory/Other Authority: Oregon Medicaid State Plan Amendment, 42 C.F.R 440.130 (c), House Bill 4045, 2022 Legislative Session

Statutes/Other Implemented: ORS 413.032, 413.042, 414.065

ADOPT: 410-152-0030

NOTICE FILED DATE: 03/07/2024

RULE SUMMARY: Limitations

CHANGES TO RULE:

410-152-0030

Limitations.

(1) Community Violence Prevention Services are not covered for individuals:¶

(a) Solely treated for intimate partner violence; ¶

(b) Identified as a family member, friend, or associate of the individual receiving the service, and does not meet eligibility requirements described in OAR 410-152-0040 ¶

(2) Community Violence Prevention services are limited to eighteen (18) months of service per eligible incident for each individual. For each date of service, only those Community Violence Prevention services which are medically appropriate, included in the plan of care, and delivered to an Oregon Health Plan enrolled individual by an enrolled Community Violence Prevention Provider may be authorized.¶

(3) Community Violence Prevention services are mutually exclusive and shall be provided to one individual by one certified Violence Prevention Professional at a time. Provider shall not submit claims for Community Violence Prevention services that exceed a total of 24 hours per day or 365 days per calendar year, whether the services rendered by one Community Violence Prevention Professional or by several providers to the individual. The Authority may deny or recover overpayments from a provider for overlapping services, billing for unreasonable units of service over a span of time, unreasonable hours per day, and claims that lack adequate supporting documentation. ¶

(4) The community-based organization that employees certified Violence Prevention Professionals must be affiliated with a licensed hospital in Oregon that authorizes the program to provide community violence prevention services to an individual in the hospital. ¶

(5) Claims for Community Violence Prevention services to the Authority for payment may not duplicate other Oregon Health Plan covered services for the same individual at the same point in time. ¶

(6) The provider shall bill the Authority according to the Community Violence Prevention bundled service code rather than itemizing the service under multiple codes. Providers may not "unbundle" services in order to increase the payment. ¶

(7) Community Violence Prevention service shall not duplicate payments made to:¶

(a) A provider, public agencies or private entities for any other case management activities or covered services provided under the State Plan or Oregon Health Plan, through fee for service, managed care, or other contractual arrangement, that meet the same need for the same client at the same point in time:¶

(b) A provider by program authorities under different funding authority than Oregon Health Plan, including but not limited to grants and other public health funding:¶

(c) A provider for administrative expenditures reimbursed under agreement with the Authority or any other program or funding source. ¶

(8) Community Violence Prevention services shall not be provided in lieu of medically necessary covered services. ¶

(9) Community Violence Prevention services shall be age appropriate for the individual and shall be delivered by a certified Violence Prevention Professional with training in developmentally appropriate Community Violence Prevention services.

Statutory/Other Authority: Oregon Medicaid State Plan Amendment, 42 C.F.R 440.130 (c), House Bill 4045, 2022 Legislative Session

Statutes/Other Implemented: ORS 413.032, 413.042, 414.065