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TEMPORARY ADMINISTRATIVE RULES

Oregon Health Authority, Health Systems Division:
Medical Assistance Programs

410

Agency and Division

Administrative Rules Chapter Number

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Upon filing.

Adopted on

04/15/2016 thru 10/11/2016

Effective dates

RULE CAPTION

Board Registered/Licensed Interns to be included as Non-payable, Enrollable
Medicaid Providers

Not more than 15 words

RULEMAKING ACTION

ADOPT:

AMEND: 410-172-0660

SUSPEND:

Stat. Auth. : ORS 413.042 & 430.640

Other Auth.:

Stats. Implemented: ORS 413.042, 414.065, 430.640, 430.705, 430.715

RULE SUMMARY

The Oregon Health Authority needs to include board registered, certified, or licensed (non-clinical) provider types practicing under a board approved supervision plan under enrolled or (paid provider) Medicaid providers. This rule is in response to provider inquiries about parity among interns. OHA approved pre-graduate mental health interns for enrollment and practice within Oregon Medicaid. OHA did not include board registered, certified or licensed (non-clinical) provider types practicing under a board approved supervision plan under enrolled (paid provider) Medicaid providers.

STATEMENT OF NEED AND JUSTIFICATION

The amendment of OAR 410-172-0660

In the Matter of

None

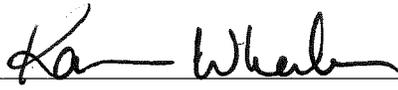
Documents Relied Upon, and where they are available

The Oregon Health Authority needs to include board registered, certified, or licensed (non-clinical) provider types practicing under a board approved supervision plan under enrolled or (paid provider) Medicaid providers. This rule is in response to provider inquiries about parity among interns. OHA approved pre-graduate mental health interns for enrollment and practice within Oregon Medicaid. OHA did not include board registered, certified or licensed (non-clinical) provider types practicing under a board approved supervision plan under enrolled (paid provider) Medicaid providers.

Need for the Temporary Rule(s)

The Authority finds that failure to act promptly will result in serious prejudice to the public interest, the Authority, providers, as well as limiting access for members seeking behavioral health services from non-OHA certified providers or provider organizations. This rule will also align the practice DHS approved, allowing post-doctoral psychology residents to provide administrative exam services.

Justification of Temporary Rules



Authorized Signer

Karen Wheeler

Printed Name

4/15/16

Date

Authorization Page replaces the ink signature on paper filings. Have your authorized signer sign and date, then scan and attach it to your filing. You must complete this step before submitting your Permanent and Temporary filings.

STATEMENT OF NEED AND JUSTIFICATION

A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Oregon Health Authority, Health Systems Division, Medical Assistance Programs
Agency and Division

410

Administrative Rules Chapter Number

Board Registered/Licensed Interns to be included as Non-payable, Enrollable Medicaid Providers

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of: The amendment of OAR 410-172-0660

Statutory Authority: ORS 413.042 & 430.640

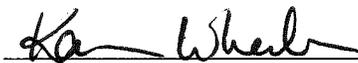
Other Authority: N/A

Stats. Implemented: ORS 413.042, 414.065, 430.640, 430.705, 430.715

Need for the Temporary Rule(s): The Oregon Health Authority needs to include board registered, certified, or licensed (non-clinical) provider types practicing under a board approved supervision plan under enrolled or (paid provider) Medicaid providers. This rule is in response to provider inquiries about parity among interns. OHA approved pre-graduate mental health interns for enrollment and practice within Oregon Medicaid. OHA did not include board registered, certified or licensed (non-clinical) provider types practicing under a board approved supervision plan under enrolled (paid provider) Medicaid providers.

Documents Relied Upon, and where they are available: None.

Justification of Temporary Rule(s): The Authority finds that failure to act promptly will result in serious prejudice to the public interest, the Authority, providers, as well as limiting access for members seeking behavioral health services from non-OHA certified providers or provider organizations. This rule will also align the practice DHS approved, allowing post-doctoral psychology residents to provide administrative exam services.


Authorized Signer


Printed name


Date

410-172-0660

Rehabilitative Mental Health Services

(1) Rehabilitative mental health services means medical or remedial services recommended by a licensed medical practitioner or other licensed practitioner to reduce impairment to an individual's functioning associated with the symptoms of a mental disorder or substance use disorder and are intended to restore functioning to the highest degree possible.

(2) Remedial rehabilitative behavioral health services shall be recommended by a licensed practitioner of the healing arts within the scope of their practice under state law.

(3) Rehabilitative behavioral health services that include medical services shall be provided under ongoing oversight of a licensed medical practitioner.

(4) Paid providers of rehabilitative behavioral health services shall meet one of the following qualifications or hold at least one of the following educational degrees and valid licensure:

(a) Physician or Physician Assistant licensed by the Oregon Medical Board;

(b) Advanced Practice Nurse including Clinical Nurse Specialist and Certified Nurse Practitioner licensed by the Oregon Board of Nursing;

(c) Psychologist licensed by the Oregon Board of Psychology;

(d) Professional Counselor or Marriage and Family Therapist licensed by the Oregon Board of Licensed Professional Counselors and Therapists;

(e) Clinical Social Worker licensed by the Oregon Board of Licensed Social Workers;

(f) Certificate issued by AMH as described in OAR 309-012-0130 through 309-012-0220.

~~(5) Non-paid providers shall be employed by a provider organization certified by AMH as described in OAR 309-012-0130 through 309-012-0220 and meet one of the following qualifications:~~

(5) Non-paid providers shall be supervised by a paid provider as described in this rule under a board approved plan of practice and supervision or be employed by a provider organization certified by OHA as described in OAR 309-012-0130 through 309-012-0220 and meet one of the following qualifications:

(a) Qualified mental health professional as defined in OAR 309-019-0105;

- ~~(b) Qualified mental health associate as defined in OAR 309-019-0105;~~
- ~~(c) Mental health intern as defined in OAR 309-019-0105; or~~
- ~~(d) Peer-Support Specialist as defined in OAR 410-180-0305.~~
- (a) Psychologist resident as described in OAR 858-010-0037;
- (b) Psychologist associate as described in OAR 858-010-0015;
- (c) Licensed Professional Counselor intern or Marriage and Family Therapist Intern registered with the Oregon Board of Licensed Professional Counselors and Therapists as described in OAR 833-050-0011;
- (d) Licensed Master Social Worker licensed by the Oregon Board of Licensed Social Workers as described in OAR 877-015-0105;
- (e) Board Certified Behavior Analyst issued by the Oregon Board of Behavioral Analysis Regulatory Board as described in OAR 824-030-0010;
- (f) Certificate of Clinical Social Work Associates issued by the Oregon Board of Licensed Social Workers as described in OAR 877-020-0009;
- (g) Registered bachelor of social work issued by the Oregon Board of Licensed Social Workers as described in OAR 877-015-0105;
- (h) Qualified mental health professional as defined in OAR 309-019-0105;
- (i) Qualified mental health associate as defined in OAR 309-019-0105;
- (j) Mental health intern as defined in OAR 309-019-0105; or
- (k) Peer-Support Specialist as defined in OAR 410-180-0305.

Stat. Auth.: ORS 413.042 & 430.640

Stats. Implemented: ORS 413.042, 414.025, 414.065, 430.640, 430.705, 430.715