

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING
A Statement of Need and Fiscal Impact accompanies this form.

Oregon Health Authority (OHA), Division of Medical Assistance Programs (Division)	410	
Agency and Division	Administrative Rules Chapter Number	
Sandy Cafourek	500 Summer St NE, Salem, OR 97301	(503) 945-6430
Rules Coordinator	Address	Telephone

RULE CAPTION

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

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

July 19, 2016	10:30 a.m.	500 Summer St. NE, Salem, OR 97301	Room 160	Sandy Cafourek
Hearing Date	Time	Location		Hearings Officer

Auxiliary aids for persons with disabilities are available upon advance request.

RULEMAKING ACTION

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND: OAR 410-172-0660

REPEAL: OAR 410-172-0660(T)

RENUMBER:

AMEND & RENUMBER:

Stat. Auth. : ORS 413.042, 430.640

Other Auth.: N/A

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

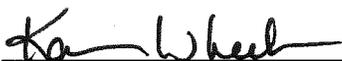
RULE SUMMARY

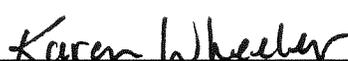
The Oregon Health Authority needs to include board registered, certified, or licensed (non-clinical) provider types practicing under a board approved supervision plan under enrolled or (paid provider) Medicaid providers. This rule is in response to provider inquiries about parity among interns. OHA approved 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.

The agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

July 21, 2016 by 5 p.m. Send written comments to: dmap.rules@state.or.us

Last Day for Public Comment (Last day to submit written comments to the Rules Coordinator)


Signature


Printed name


Date

Note: Hearing Notices must be submitted by the 15th day of the month to be published in the next month's *Oregon Bulletin*.

STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Oregon Health Authority (Authority), Division of Medical Assistance Programs (Division)	410
Agency and Division	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: None.

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

Need for the 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.

Fiscal and Economic Impact: None.

Statement of Cost of Compliance: None.

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): Amending these rules will have no fiscal impact on the Authority, other state agencies, units of local government, the public, or businesses, including small businesses. None.

2. Cost of compliance effect on small business (ORS 183.336):

- a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule: None.
- b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: None.
- c. Equipment, supplies, labor and increased administration required for compliance: None.

How were small businesses involved in the development of this rule? Small businesses are not relevant to this rule.

Administrative Rule Advisory Committee consulted?: Yes.

	Karen Wheeler	4/15/16
Signature	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