

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

Oregon Health Authority (Authority), Division of Medical Assistance Programs (Division)	410
Agency and Division	Administrative Rules Chapter Number
Cheryl Peters	500 Summer St NE, Salem, OR 97301
Rules Coordinator	Address
	503-945-6527
	Telephone

RULE CAPTION

Statewide CHIP funded CAWEM prenatal program

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

11/15/13	10:30	500 Summer St NE, Salem, OR 97301, Room 137C	Cheryl Peters
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: 410-120-0030

REPEAL:

RENUMBER:

AMEND & RENUMBER:

Stat. Auth. : ORS 413.042

Other Auth.:

Stats. Implemented: ORS 414.025, 414.065

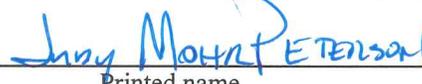
RULE SUMMARY

The General Rules program administrative rules govern Division payments for services to clients. The Division needs to amend 410-120-0030 to include coverage statewide. The Division will amend this rule to include coverage for prenatal care ; retroactive to October 1, 2013.

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.

11/18/13 by 5:00 p.m.

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

		
Signature	Printed name	Date

*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. ARC 920-2005

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)
Agency and Division

410

Administrative Rules Chapter Number

Statewide CHIP funded CAWEM prenatal program

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

In the Matter of: The proposed amendment of rule 410-120-0030.

Statutory Authority: ORS 413.042

Other Authority:

Stats. Implemented: ORS 414.025, 414.065

Need for the Rule(s): The General Rules program administrative rules govern Division payments for services to clients. The Division needs to amend 410-120-0030 to include coverage statewide. The Division will amend this rule to include coverage for prenatal care ; retroactive to October 1, 2013.

Documents Relied Upon, and where they are available:

Federal Register Vol 67 October 2, 2002-<http://www.gpoaccess.gov/fr/index.html>. CMS State Health Official letter SHO #02-004- <http://www.medicaid.gov/Federal-Policy-Guidance/Federal-Policy-Guidance.html>. CMS state plan approval document, amendment #19- <http://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-State/oregon.html>

Fiscal and Economic Impact:

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

Amending this rule will have no fiscal impact to other state agencies, local government or clients. It does have a positive fiscal impact to businesses, including small businesses as they currently may serve this population but may receive little to no compensation for the care. Amending this rule will allow coverage for prenatal care for otherwise ineligible populations.

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:

The Division has approximately 63,000 enrolled providers. These enrolled providers range from large hospital affiliates, national Durable Medical Equipment or Pharmacy chains to individually owned physician offices. The Division's fee-for-services providers serve approximately 10% of the total OHP population. The Division does not have available information to estimate the percentage of these medical practices that are small businesses, but it is likely that there is a significant number of them.

- b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

Amending this rule will not add additional reporting, record keeping or other administrative activities.

- c. Equipment, supplies, labor and increased administration required for compliance:

Amending this rule will not require the need for any new equipment, supplies, labor or increase the administration requirements on small or large businesses.

How were small businesses involved in the development of this rule?

No small providers were involved for taking this pilot program statewide. This program has been in operation since 2008, but has been restricted to approximately 13 counties. The Department worked with key stakeholders during the development of the Policy Option Package during the 2007 legislative session, the Medicaid Advisory Committee and during each county expansion. Amending this rule does not change any aspects of this current program except to open it up statewide.

Administrative Rule Advisory Committee consulted?: No

If not, why?: A RAC was not held, as amending this rule does not change any aspect of the program or rules for the coverage, other than to appeal the restrictions to certain counties and make it available statewide.


Signature

 10/14/2013
Printed name Date

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310. ARC 925-2007

410-120-0030 - Children's Health Insurance Program

(1) The Children's Health Insurance Program (CHIP) is a federal non-entitlement program. The Oregon Health Authority, Division of Medical Assistance Program (Division) administers two programs funded under CHIP in accordance with the Oregon Health Plan waiver and the CHIP state plan.

(a) CHIP: Provides health coverage for uninsured, low-income children who are ineligible for Medicaid;

(b) CHIP Prenatal care expansion program.

(2) The General Rules Program (OAR 410-120-0000 et. seq.) and Oregon Health Plan Program rules (OAR 410-141-0000 et. seq.) applicable to the Medicaid program are also applicable to the Authority's CHIP program.

(3) Children under 19 years of age, who meet the income limits, citizenship requirements and eligibility criteria for medical assistance established in OAR chapter 461 through the program acronym OHP-CHP, receive the OHP Plus benefit package (for benefits refer to OAR 410-120-1210).

(4) CHIP Prenatal care expansion coverage: Women not eligible for Medicaid at or below 185% of the FPL, with the benefit package identifier CWX:

(a) Receive the OHP Plus benefit package with limitations as described in subsection (d) of these rules;

(b) Effective October 1, 2013 Reside in the state following counties during pregnancy:

~~(A) Effective 4/1/08 Multnomah and Deschutes;~~

~~(B) Effective 10/1/09 Benton, Clackamas, Hood River and Jackson;~~

~~(C) Effective 1/1/11 Lane;~~

~~(D) Effective 7/1/11 Columbia, Crook, Douglas, Jefferson, Morrow, Union and Wasco;~~

~~(E) Effective 4/1/12 Umatilla.~~

(c) The day after pregnancy ends, eligibility for medical services is based on eligibility categories established in OAR chapter 461;

(d) The following services are not covered for this program:

(A) Postpartum care (except when included as part of a global delivery procedure);

(B) Sterilization;

(C) Abortion;

(D) Death with dignity services;

(E) Hospice.

Stat. Auth.: ORS 413.042

Stats. Implemented: ORS 414.025, 414.065