



TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

DMAP 3-2021

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

FILED

01/28/2021 11:44 AM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

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

EFFECTIVE DATE: 02/01/2021 THROUGH 03/29/2021

AGENCY APPROVED DATE: 01/28/2021

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NEED FOR THE RULE(S):

The OHP program administrative rules govern the Division's payments for services provided to clients. The Authority needs to temporarily amend 410-141-3830. This change will reference the approved Health Evidence Review Commission (HERC) Prioritized List of Health Services, effective February 1, 2021– September 30, 2021, and incorporating interim modifications annotations. The changes will be effective February 1, 2021.

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. 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.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

February 1, 2021, cover letter from HERC to Oregon Legislative leadership reporting interim modifications and technical changes, available at: <https://www.oregon.gov/oha/HPA/DSI-HERC/Pages/About.aspx>
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

SUSPEND: Temporary 410-141-3830 from DMAP 70-2020

RULE SUMMARY: The OHP program administrative rules govern the Division's payments for services provided to clients. The Authority needs to temporarily amend 410-141-3830. This change will reference the approved Health Evidence Review Commission (HERC) Prioritized List of Health Services, effective February 1, 2021– September 30, 2021, and incorporating interim modifications annotations. The changes will be effective February 1, 2021.

CHANGES TO RULE:

410-141-3830

Prioritized List of Health Services

(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 February 1, 2021, incorporates by reference the ~~August~~February 14, 2020~~1~~ Prioritized List, funded through line 471 and including all line items, diagnosis and treatment codes, guideline notes, statements of intent, coding specifications and annotations. This Prioritized List dated February 1, 2021 supersedes the ~~March January 13, 2020~~~~1~~ Prioritized List for services provided after ~~August~~February 14, 2020~~1~~, 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