

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 503-945-6527
Rules Coordinator Address Telephone

RULE CAPTION

CHIP Prenatal care expansion program to include Umatilla county

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

March 19, 2012 10:00 500 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.

AMEND: 410-120-0030

Stat. Auth. : ORS 413.042

Other Auth.:

Stats. Implemented: ORS 414.025, 414.065

RULE SUMMARY

The General Rules Program administrative rules govern Division of Medical Assistance Programs' (Division) payments for services provided to clients. The Division needs to amend 410-120-0030 to add an additional county to participate in the prenatal care expansion project implemented April 1, 2008. Subject to the Centers for Medicare and Medicaid Services (CMS) approval, the Division added Umatilla county providing prenatal care during pregnancy and labor and delivery services for CAWEM women, to be effective on or before April 1, 2012. Early prenatal care positively influences healthy outcomes for both mother and child to mitigate adverse outcomes of high-risk pregnancies and is an accepted standard of care. Lack of access to prenatal care may result in increased risk at birth and in infancy for children, and may result in increased costs of medical care to the state. This program is operated under an amendment to Oregon's State Children's Health Insurance Program (CHIP) plan. Oregon anticipates receiving federal approval for the expansion, effective on or before April 1, 2012. Text within this rule specifies effective dates for each county.

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.

3/21/12

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

 Signature
JEAN S. DONOVAN Printed name
2-9-12 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

Secretary of State

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

CHIP Prenatal care expansion program to include Umatilla county

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

In the Matter of: The amendment of 410-120-0030

Proposed rules are available on the Division Website:
<http://www.dhs.state.or.us/policy/healthplan/rules/notices.html>
 For hardcopy requests, call: (503) 947-5081

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 of Medical Assistance Programs' (Division) payments for services provided to clients. The Division needs to amend 410-120-0030 to add an additional county to participate in the prenatal care expansion project implemented April 1, 2008. Subject to the Centers for Medicare and Medicaid Services (CMS) approval, the Division added Umatilla county providing prenatal care during pregnancy and labor and delivery services for CAWEM women, to be effective on or before April 1, 2012. Early prenatal care positively influences healthy outcomes for both mother and child to mitigate adverse outcomes of high-risk pregnancies and is an accepted standard of care. Lack of access to prenatal care may result in increased risk at birth and in infancy for children, and may result in increased costs of medical care to the state. This program is operated under an amendment to Oregon's State Children's Health Insurance Program (CHIP) plan. Oregon anticipates receiving federal approval for the expansion, effective on or before April 1, 2012. Text within this rule specifies effective dates for each county.

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.cms.hhs.gov/SMDL/SHO/list.asp#TopOfPage>. CMS state plan approval document, amendment #17-
<http://www.cms.hhs.gov/LowCostHealthInsFamChild/SCHIPASPI/list.asp#TopOfPage>. Medicaid Advisory Committee minutes-
<http://www.oregon.gov/OHPPR/MAC/MACwelcomepage.shtml>.

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)):

Specific impact varies. This will impact small business positively as services for this population in this county will receive reimbursement under this program expansion that were not reimbursed before.

The fiscal impact to the State General Fund will be neutral because, with the enhanced federal match, the state will spend no more on these expanded services than it is spending during the current biennium on just Labor and Delivery services for CAWEM woman

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:

This rule effects public providers that have an agreement with Authority, no small businesses or other non public entities are effected by this rule.

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

Minimal administrative activities are necessary for some public entities with these particular agreements with the Authority however the impact is not significant.

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

The proposed rule imposes no new equipment, supplies, labor or increased administration requirements on small businesses

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

No small business were included as they are not subject to the agreement with the public entity and the Authority.

Administrative Rule Advisory Committee consulted?

If not, why?

The revision is adding Umatilla county to participate in the CAWEM prenatal expansion program. The participating counties have an Interagency Agreement and provide the state funds for this project. CMS approval is required and a CHIP amendment has been submitted.

Proposed effective date: April 1, 2012



Signature Judy Mohr Peterson, Jean S. Donovan or Sandy Wood

2-9-12

Date

Proposed rules are available on the Division's Website:

<http://www.dhs.state.or.us/policy/healthplan/rules/notices.html>

For hardcopy requests, call: **(503) 947-5081**

410-120-0030 Children's Health Insurance Program

(1) The Children's Health Insurance Program (CHIP) is a federal non-entitlement program for children under 19 years of age that provides health coverage for uninsured, low-income children who are ineligible for Medicaid and meet the CHIP eligibility requirements. The CHIP program is administered by the Oregon Health Authority (Authority) in accordance with the Oregon Health Plan waiver and the CHIP state plan. 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.

(2) Eligibility criteria, including but not limited to income methodologies and citizenship requirements for medical assistance applicable to children under the age of 19 years, are established in OAR chapter 461 through the program acronym OHP-CHP.

(3) Benefit package of covered services: Children determined eligible for CHIP receive the same OHP Plus benefits as covered under Medicaid categorically needy program. (For benefits refer to OAR 410-120-1210).

(4) CHIP Prenatal coverage for women not eligible for Medicaid at or below 185% of the FPL:

(a) Notwithstanding subsections (2) and (3) of this rule, pregnant women, who are not eligible for Medicaid and who reside in the participating counties during pregnancy will receive expanded medical services (OHP Plus benefit package, as limited under subsection (d) of this subsection) to provide prenatal care for the unborn child and labor and delivery services through this expansion program. The benefit identifier for this category is BMH, PERC code CX:

(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.

(b) This population is exempt from managed care enrollment. The preferred service delivery system will be Primary Care Management (PCM). Fee-for-service (FFS) enrollment will be available by exception for continuity of care or other Authority-approved reasons that could justify disenrollment from a PCM under OAR 410-141-0085;

(c) Pilot project services continue through labor and delivery. 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 the pilot project:

(A~~i~~) Postpartum care beyond the global payment;

(B~~ii~~) Sterilization;

(C~~iii~~) Abortion;

(D~~iv~~) Death with dignity services;

(E~~v~~) Hospice.

Stat. Auth.: ORS 413.042

Stats. Implemented: ORS 414.025, 414.065

7-1-11