

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**

Adopt Rule to Allow DME Repurposing Program Required by the Legislature

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

March 17, 2015	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:** OAR 410-122-0187

**AMEND:**

**REPEAL:** OAR 410-122-0187(T)

**RENUMBER:**

**AMEND & RENUMBER:**

Stat. Auth. : ORS 414.065

Other Auth.: HB4108

Stats. Implemented: ORS 414.065

**RULE SUMMARY**

This rule generally describes the DME Repurposing Pilot and the requirement that qualified individuals are involved in the provision of gently used DME through the program. It also states the payment methodology is through grant award.

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.

March 19, 2015, by 5 p.m. Send written comments to: [dmap.rules@state.or.us](mailto:dmap.rules@state.or.us)

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

  
Signature

DAVID SCHWARTZ  
Printed name

2/10/2015  
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

Adopt Rule to Allow DME Repurposing Pilot Program Required by the Legislature

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

In the Matter of: The adoption of OAR 410-122-0187

Statutory Authority: ORS 414.065

Other Authority:

Stats. Implemented: ORS 414.065

Need for the Rule(s): HB4108 requires OHA to contract with non-profit organizations to operate a pilot program to provide gently used durable medical equipment to medical assistance recipients. This new rule generally describes the program and that funding will be provided with a grant award.

Documents Relied Upon, and where they are available: HB4108

Fiscal and Economic Impact: Fiscal impact will be a maximum of \$150,000. Of that, \$75,000 grant funds appropriated by the legislature for the pilot program will be leveraged to receive \$75,000 federal administrative funding at 50 percent.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): No fiscal or economic impact is anticipated for other state agencies, units of local government, or the general public.

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

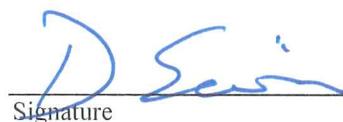
b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: None

c. Equipment, supplies, labor and increased administration required for compliance: None

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

Administrative Rule Advisory Committee consulted? Yes, a RAC meeting was held June 30, 2014 and July 10, 2014.

If not, why?



DAVID SUMMITT

2/10/2015

Signature

Printed Name

Date

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

**Durable Medical Equipment (DME) Repurposing Pilot Program**

(1) The DME Repurposing Pilot Program is designed to refurbish gently used durable medical equipment that is no longer needed by other individuals and reassign to OHP clients. The pilot program serves clients residing in Washington, Multnomah, Clackamas, Umatilla, Marion, and Polk Counties and other counties as approved by the Division of Medical Assistance Programs (Division).

(2) DME provided through this program requires a written order signed and dated by the prescribing practitioner prior to dispensing items to a client. Medical need shall be supported within the prescribing practitioner's clinical documentation.

(3) The DME collected for use in this program shall be properly cleaned, sanitized, repaired, refurbished, and reconfigured by qualified and trained staff prior to reassignment.

(4) Certified Assistive Technology Professionals (ATP) or other appropriately licensed or certified providers shall:

(a) Assess each item of equipment to assure that it is safe and functionally appropriate for reuse;

(b) Assess the client's needs for equipment and consult with and advise the client and the prescribing practitioner in the selection of medically appropriate equipment;

(c) Instruct the client or the client's caregiver in the appropriate use of the equipment; and

(d) Be available after delivery of the equipment to provide timely support, repairs, and necessary modifications.

(5) The non-profit organization awarded the grant for this pilot program shall be reimbursed for costs associated with managing inventory, collection, sanitizing, repairing, refurbishing, reconfiguring, fitting, delivery, and follow-up support of the DME reassigned through the program.

Stat. Auth.: ORS 414.065

Stats. Implemented: ORS 414.065