Secretary of State

NOTICE OF PROPOSED RULEMAKING

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

Sandy Cafourek	500 Summer St. NE, Salem, OR 97301	503-945-6430
Rules Coordinator	Address	Telephone

RULE CAPTION

Prioritized List, Effective 1/1/16, including Modifications Effective 10/1/15 and Biennial Changes January 1, 2016-December 31, 2017

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

RULEMAKING ACTION

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

ADOPT:

AMEND: OAR 410-141-0520

REPEAL: 410-141-0520 (T)

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 414.065 and 414.727

Other Auth.:

Stats. Implemented: ORS

RULE SUMMARY

The OHP program administrative rules govern the Division's payments for services provided to clients. The Authority is amending 410-141-0520. This change will reference the approved Health Evidence Review Committee (HERC) Prioritized List of Health Services, effective January 1, 2016 – December 31, 2017 and incorporate interim modifications made October 1, 2015. The changes will be effective January 1, 2016.

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.

February 19, 2015, by 5 p.m. Send comments to: dmap.rules@state.or.us

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

Rhonda Busek	Rhonda Busek	12-21-15
Signature	Printed name	Date

Note: Notices must be submitted by the 15th day of the month to be published in the next month's *Oregon Bulletin.* A Rulemaking Hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following notice publication or 28 days from the date notice was sent to people on the agency's interested party mailing list, whichever is later. In such cases a Hearing Notice must be published in the *Oregon Bulletin* at least 14 days before the hearing.

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

Prioritized List, Effective 1/1/16, including Modifications Effective 10/1/15 and Biennial Changes January 1, 2016-December 31, 2017

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 410-141-0520

Statutory Authority: ORS 413.042 and 414.065

Other Authority:

Stats. Implemented: ORS 414.065 and 414.727

Need for the Rule(s): The OHP program administrative rules govern the Division's payments for services provided to clients. The Authority needs to amend 410-141-0520. This change will reference the approved Health Evidenced Review Committee (HERC) Prioritized List of Health Services, effective January 1, 2016 – December 31, 2017 and incorporate interim modifications made October 1, 2015. The changes will be effective January 1, 2016.

Documents Relied Upon, and where they are available: December 14, 2015 cover letter from HERC to Oregon Legislative leadership reporting interim modifications and technical changes.

Fiscal and Economic Impact: See below
Statement of Cost of Compliance:
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. The interim modifications are adoption of national code set changes, funding lines 1-475 for the January 1, 2016-December 31, 2017, biennial Prioritized List. The HERC Prioritized List is legislatively funded. The Division does not anticipate significant impact on state agencies, units of local government, or the 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:
The types of small businesses include doctor's offices, specialty groups, small clinics and community based providers; however, the Division's system does not flag which providers are part of a larger clinic or corporation. Therefore the Division is unable to estimate the number of small businesses that are subject to the rules, but the Division does not anticipate a direct or indirect impact on small businesses.
b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: The Division does not anticipate additional administrative activities required for compliance or costs of professional services.
c. Equipment, supplies, labor and increased administration required for compliance: The Division does not anticipate additional administrative activities required for compliance or costs of professional services.

How were small businesses involved in the development of this rule? Stakeholders including members of the public sector were consulted in the revision of these rules.

Administrative Rule Advisory Committee consulted?: Yes. Stakeholders including members of the public sector were consulted in the revision of these rules. No fiscal impact is anticipated.

Rhonda Buser Rhonda Buser 12-21-15

Signature Printed Name Date

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

410-141-0520

Prioritized List of Health Services

(1)The Health Evidenced Review Commission (HERC) Prioritized List of Health Services (Prioritized List) is the listing of physical and mental 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: http://www.oregon.gov/oha/herc/Pages/index.aspx. For a hard copy, contact the Division ~~of Medical Assistance~~ within the Oregon Health Authority (~~OHA~~ Authority).

(2) This rule incorporates by reference the Centers for Medicare and Medicaid Services' (CMS) approved biennial January 1, 2016–December 31, 2017 Prioritized List of condition treatment pairs funded through line 475, including interim modifications approved at the October 1, 2015 and November 12, 2015 HERC meetings.

Stat. Auth.: ORS 413.042 & 414.065
Stats. Implemented: ORS 414.065 & 414.727