TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

DMAP 42-2021
CHAPTER 410
OREGON HEALTH AUTHORITY
HEALTH SYSTEMS DIVISION: MEDICAL ASSISTANCE PROGRAMS

FILING CAPTION: Updates To The Prioritized List Of Covered Health Services To Improve Access To Telehealth

EFFECTIVE DATE: 10/01/2021 THROUGH 03/29/2022

AGENCY APPROVED DATE: 09/14/2021

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Filed By:
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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 is temporarily amending 410-141-3830. This change will reference the Health Evidence Review Commission (HERC)'s approved October 1, 2021 Prioritized List of Health Services, which incorporates interim modifications made to the February 1, 2021 prioritized list. The changes will be effective October 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, providers, and clients receiving services. This rule needs to be adopted promptly so that the Authority is in compliance with CMS regulations. 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:
(1) September 1, 2021 cover letter from HERC to Oregon Legislative leadership reporting interim modifications and technical changes found at: https://www.oregon.gov/oha/HPA/DSI-HERC/PrioritizedList/10-1-2021-Notice-of-Interim-Modifications.pdf

(2) HERC Prioritized List of Health Services found at:
Pending List: https://www.oregon.gov/oha/HPA/DSI-HERC/Pages/Prioritized-List-Pending.aspx
Current List: https://www.oregon.gov/oha/HPA/DSI-HERC/Pages/Prioritized-List.aspx

AMEND: 410-141-3830

RULE SUMMARY: The OHP program administrative rules govern the Division's payments for services provided to clients. The Authority is temporarily amending 410-141-3830. This change will reference Health Evidence Review
Commission (HERC)'s approved October 1, 2021 Prioritized List of Health Services, which incorporates interim modifications to the February 1, 2021 prioritized list. The changes will be effective October 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 February 1, 2021 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 January 1, 2021 Prioritized List for services provided after February 1, 2021, 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