

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- Public Health Division

333

Agency and Division

Administrative Rules Chapter Number

Amends Rules for Ryan White Part B, AIDS Drug Assistance Program, CAREAssist

Rule Caption

In the Matter of:

Permanently adopting, amending, and repealing rules in chapter 333, division 22 related to the Ryan White Part B, AIDS Drug Assistance Program.

Statutory Authority:

ORS 413.042, 431.250, 431.830

Other Authority:

Stats. Implemented:

ORS 431.250, 431.830

Need for the Rule(s):

The Oregon Health Authority (Authority), Public Health Division, AIDS Drug Assistance Program/CAREAssist is proposing permanent amendments to administrative rules used to govern the administration of Ryan White Part B, AIDS Drug Assistance Program. The proposed amendments address gaps in the original rule and reflect improvements to Program eligibility criteria and client benefits. Program improvements, which have already been implemented, include an increase to income eligibility limits, the addition of dental benefits and discontinuation of the Cost Share Program. Proposed amendments also authorize the Authority to seek reimbursement from clients who receive a refund for services paid for by the Program and prohibits balance-billing. Lastly, additional language has been added to support the Program's ability to restrict client benefits for not recertifying, rather than allow all benefits to expire.

Documents Relied Upon, and where they are available:

Oregon Administrative Rules 333-022-1000 through 1170:

http://arcweb.sos.state.or.us/pages/rules/oars_300/oar_333/333_022.html

Fiscal and Economic Impact:

There is no new fiscal impact identified as these amendments will formalize existing program policies and procedures. The State of Oregon, Oregon Health Authority receives grant funding from the U.S. Health Resources and Services Administration to administer these services to eligible individuals living with HIV/AIDS. A grant specified amount of the total funds are administered by the Authority's Public Health Division, HIV Care & Treatment for the provision of services intended to support and encourage persons living with HIV to adhere to necessary medication and medical treatments.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

The AIDS Drug Assistance Program is managed internally and all services are provided by state program staff. There are no costs to other state agencies, units of local government or the public associated with compliance in this program. If federal funding for these services ended, the Authority would have no expectation that services would continue.

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:

NA - No small businesses meeting the definition found in ORS 183.310 are subject to these rules and amendments

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

NA – Small businesses are not subject to these rules and amendments

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

NA – Small businesses are not subject to these rules and amendments

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

As these amendments have no impact on small businesses, they were not involved in the process.

Administrative Rule Advisory Committee consulted?:

Yes. Committee members are representative of community-based client advocacy and HIV case management agencies (HIV Alliance, The Partnership Project, the Ryan White Grantees (Part A, Part B, Part C and Part D), and consumers of services provided.

Signature

Printed name

Date

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310. ARC 925-2007