

Secretary of State
Certificate and Order for Filing
TEMPORARY ADMINISTRATIVE RULES
A Statement of Need and Justification accompanies this form.

I certify that the attached copies* are true, full and correct copies of the TEMPORARY Rule(s) adopted upon filing by the

<u>Oregon Health Authority, Medical Assistance Programs</u>	410	
Agency and Division	Administrative Rules Chapter Number	
<u>Jennifer Bittel</u>	<u>250 Winter St NE, Salem, OR 97301</u>	<u>(503) 947-5250</u>
Rules Coordinator	Address	Telephone

to become effective January 1, 2012 through April 30, 2012.

RULE CAPTION

Hospital Provider Tax Rate Change

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

RULEMAKING ACTION

AMEND: OAR 410-050-0861

Stat. Auth.: ORS 413.042

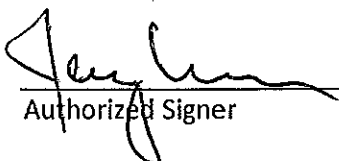
Other Auth.:

Stats. Implemented: OL 2009, Ch. 867 | 17, 2007 OL Ch. 780 | 1 & 2003 OL Ch. 736 | 2 & 3

RULE SUMMARY

The rule is being amended to implement a change in the hospital provider tax rate from 5.08% to 4.32%, effective January 1, 2012, through a temporary rule.

This temporary rule is available on the DHS Website: <http://www.oregon.gov/DHS/admin/dwssrules/index.shtml>.
For hardcopy requests, call: (503) 947-5250.



Authorized Signer

Jeremy Emerson, Authorized Signer

Printed name

12/29/11

Date

*With this original and Statement of Need, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.

ARC 940-2005

Secretary of State
STATEMENT OF NEED AND JUSTIFICATION

A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Oregon Health Authority, Medical Assistance Programs

410

Agency and Division

Administrative Rules Chapter Number

In the Matter of:

The temporary amendment of OAR 410-050-0861.

Rule Caption:

Hospital Provider Tax Rate Change

Statutory Authority: **ORS 413.042**

Other Authority:

Stats. Implemented: **OL 2009, Ch. 867 | 17, 2007 OL Ch. 780 | 1 & 2003 OL Ch. 736 | 2 & 3**

Need for the Temporary Rule(s):

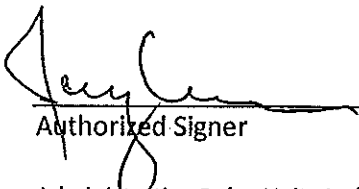
The Division of Medical Assistance Programs needs to amend OAR 410-050-0861, effective January 1, 2012, to change the tax rate from 5.08% to 4.32%. HB 2116 § 17 authorizes the Oregon Health Authority's Director to impose a tax rate that is the best estimate of the rate needed to generate the revenue budgeted for hospital services paid under the hospital provider tax for the biennium. The proposed change is based on client caseload forecasts and expenditures for hospital services for the 2011–2013 biennium. This temporary rule is being filed in order to implement the rate change until a permanent rule can be filed.

Documents Relied Upon, and where they are available:

Oregon Laws 2009, Chapter 867; SB 5529; caseload estimates and forecasts; and equilibrium model calculations. Please contact Roger Staples (roger.staples@state.or.us) for copies of these documents.

Justification of Temporary Rule(s):

The Oregon Health Authority (Authority) finds that failure to act promptly will result in serious prejudice to the public interest, the Authority and clients. The temporary rulemaking process is required to ensure that tax collections beginning January 1, 2012 do not exceed the revenue needed to fund projected hospital services. The permanent administrative rule process requires more time to complete than available in this instance.



Jeremy Emerson, Authorized Signer

12/29/11

Authorized Signer

Printed name

Date

**CHAPTER 410
OREGON HEALTH AUTHORITY,
DIVISION OF MEDICAL ASSISTANCE PROGRAMS**

**DIVISION 50
TAX RULES**

Hospital Tax

410-050-0861

Tax Rate

- (1) The tax rate for the period beginning January 1, 2005 and ending June 30, 2006 is .68 percent.
- (2) The tax rate for the period beginning July 1, 2006 and ending December 31, 2007 is .82 percent.
- (3) The tax rate for the period beginning January 1, 2008 and ending June 30, 2009 is .63 percent.
- (4) The tax rate for the period of January 1, 2008 through June 30, 2009 does not apply to the period beginning July 1, 2009.
- (5) The tax rate for the period beginning July 1, 2009 and ending September 30, 2009 is .15 percent.
- (6) The tax rate for the period beginning October 1, 2009 and ending June 30, 2010 is 2.8 percent.
- (7) The tax rate for the period beginning July 1, 2010 and ending June 30, 2011 is 2.32 percent.
- (8) The tax rate for the period beginning July 1, 2011 and ending September 30, 2011 is 5.25 percent.
- (9) The tax rate for the period beginning October 1, 2011 and ending December 31, 2011 is 5.08 percent.
- (10) The tax rate for the period beginning January 1, 2012 is 4.32 percent.

Stat. Auth.: ORS 413.042

Stats. Implemented: 2009 OL Ch. 867 | 17, 2007 OL Ch. 780 | 1 & 2003 OL Ch. 736 | 2 & 3