

State of California
Department of Industrial Relations
DIVISION OF WORKERS' COMPENSATION



**Order of the Acting Administrative Director of the Division of Workers'
Compensation**

(OMFS Update for Inpatient Hospital Services - Effective December 1, 2009)

Pursuant to Labor Code section 5307.1(g)(2), the Acting Administrative Director of the Division of Workers' Compensation orders that Title 8, California Code of Regulations, section 9789.21, definitions for inpatient hospital fee schedule, is amended to conform to the final rule of August 27, 2009 and the correction of October 7, 2009, published in the Federal Register; and is amended to incorporate by reference the applicable Federal Register final rules and Federal Regulations as directed by the Administrative Director Orders effective November 29, 2004, July 15, 2005, December 1, 2005, December 1, 2006, March 1, 2007, April 1, 2007, and January 1, 2008, and by the orders of the Acting Administrative Director effective December 1, 2008 and December 1, 2009.

Pursuant to Labor Code section 5307.1(g)(2), the Acting Administrative Director of the Division of Workers' Compensation orders that Title 8, California Code of Regulations, section 9789.22, payment of inpatient hospital services, is amended to conform to the final rule of August 27, 2009 and the correction of October 7, 2009, published in the Federal Register; and is amended to incorporate by reference the applicable Federal Register final rules and Federal Regulations as directed by the Administrative Director Orders effective November 29, 2004, July 15, 2005, December 1, 2005, December 1, 2006, March 1, 2007, April 1, 2007, and January 1, 2008, and by the order of the Acting Administrative Director effective December 1, 2008 and December 1, 2009.

Pursuant to Labor Code section 5307.1(g)(2), the Acting Administrative Director of the Division of Workers' Compensation orders that Title 8, California Code of Regulations, sections 9789.23 and 9789.24, pertaining to Inpatient Hospital Fee Schedule in the Official Medical Fee Schedule, are adjusted to conform to the final rule of August 27, 2009 and the correction of October 7, 2009, published in the Federal Register which changes the Medicare payment system. Amended section 9789.23 reflects the changes to the Composite Rate, Hospital Specific Outlier Factor and Cost to Charge Ratio for the listed California Inpatient Hospitals. Amended section 9789.24 reflects Medicare's changes to the Relative Weights and Geometric Mean Length of Stay for the listed Medicare Severity diagnosis-related groups.

Pursuant to Labor Code section 5307.1(g)(2), the Acting Administrative Director of the Division of Workers' Compensation orders that to the extent references to the Federal Register or Code of Federal Regulations are made in any sections starting from section 9789.20 through 9789.24 of Title 8 of the California Code of Regulations, said section is hereby amended to incorporate by reference the

applicable Federal Register final rule (including notices, correction notices, and revisions) and Federal Regulations in effect as of the date this Order becomes effective, to be applied to discharges occurring on or after December 1, 2009.

Also attached is an explanation of the changes. The effective date of the new rates is for inpatient hospital discharges occurring on or after December 1, 2009. This Order, the amended sections 9789.21, 9789.22, 9789.23 and 9789.24, and the explanation of the changes shall be published on the website for *the Division of Workers' Compensation*: <http://www.dir.ca.gov/DWC/OMFS9904.htm>

IT IS SO ORDERED.

Dated: October 29, 2009

ORIGINAL SIGNED BY _____

CARRIE NEVANS
Acting Administrative Director of the
Division of Workers' Compensation