State of California

Department of Industrial Relations

DIVISION OF WORKERS’ COMPENSATION



**Order of the Administrative Director of the**

**Division of Workers’ Compensation**

OMFS Update for Hospital Outpatient Departments and

Ambulatory Surgical Services

Effective October 1, 2021

On September 23, 2021, the Administrative Director of the Division of Workers’ Compensation issued an order that title 8, California Code of Regulations, section 9789.39, pertaining to the Hospital Outpatient Departments and Ambulatory Surgical Centers Fee Schedule portion of the Official Medical Fee Schedule, be adjusted to conform to changes in the Medicare system, effective for services rendered on or after October 1, 2021. Subsequently, the Centers for Medicare and Medicaid Services (CMS) issued an October 2021 ASC Approved HCPCS Code and Payment Rates file, updated September 23, 2001. CMS also issued a corrected Addendum A and Addendum B to supersede the previous documents, effective October 1, 2021.

Pursuant to Labor Code section 5307.1(g)(1),(2), **Title 8, California Code of Regulations, section 9789.39 subdivision (b)**, is amended to adopt and incorporate by reference [CMS’ ASC Approved HCPCS Code and Payment Rates](https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/ASCPayment/11_Addenda_Updates) files, column A of Addendum AA and column A of Addendum EE, updated September 23, 2021, in place of the September 22, 2021 file. Subdivision (b) is further amended to adopt and incorporate by reference CMS’ HOPPS Addendum A and Addendum B found in [October 2021 Addendum A-CORRECTION](https://www.cms.gov/medicaremedicare-fee-service-paymenthospitaloutpatientppsaddendum-and-addendum-b-updates/october-2021-correction) and [October 2021 Addendum B-CORRECTION](https://www.cms.gov/medicaremedicare-fee-service-paymenthospitaloutpatientppsaddendum-and-addendum-b-updates/october-2021-correction-0), in place of the original files, for services rendered on or after October 1, 2021.

This Order adopts changes to the OMFS for the Hospital Outpatient Departments and Ambulatory Surgical Centers services to conform to Medicare changes as follows:

|  | Services Occurring On or After March 1, 2021 and Mid-year Updates |
| --- | --- |
| APC Payment Rate | [Unchanged language omitted]  For services occurring on or after October 1, 2021[, Addendum B October 2021-CORRECTION](https://www.cms.gov/medicaremedicare-fee-service-paymenthospitaloutpatientppsaddendum-and-addendum-b-updates/october-2021-correction-0)  (2021\_October\_Web\_Addendum\_B.092110262021.xlsx) |
| APC Relative Weight | [Unchanged language omitted]  For services occurring on or after October 1, 2021[, Addendum B October 2021-CORRECTION](https://www.cms.gov/medicaremedicare-fee-service-paymenthospitaloutpatientppsaddendum-and-addendum-b-updates/october-2021-correction-0)  (2021\_October\_Web\_Addendum\_B.092110262021.xlsx) |
| HOPPS Addenda | [Unchanged language omitted]  For services occurring on or after October 1, 2021 addenda:   * A ([Addendum A October 2021-CORRECTION](https://www.cms.gov/medicaremedicare-fee-service-paymenthospitaloutpatientppsaddendum-and-addendum-b-updates/october-2021-correction); 2021\_October\_Web\_Addendum\_A.10262021\_Oct\_Web\_Adodendum\_A.09212021.xlsx) * 2021\_Oct\_Web\_Addendum\_A.09212021.xlsx) * B ([Addendum B October 2021-CORRECTION](https://www.cms.gov/medicaremedicare-fee-service-paymenthospitaloutpatientppsaddendum-and-addendum-b-updates/october-2021-correction-0); 2021\_Oct\_Web\_Addenda\_B.09212021.xlsx2021\_October\_Web\_Addeundum\_B.10262021.xlsx) * D1 (2021 NFRM OPPS Addenda; [2021 NFRM Addendum D1-Updated 01/12/2021](https://www.cms.gov/medicaremedicare-fee-service-paymenthospitaloutpatientppshospital-outpatient-regulations-and-notices/cms-1736-fc)) * D2 (2021 NFRM OPPS Addenda; 2021 NFRM Addendum D2.11302020.xlsm) * E (2021 NFRM OPPS Addenda; 2021 NFRM Addendum E.11302020.xlsx) * J (2021 NFRM OPPS Addenda; 2021 NFRM Addendum J.11302020.xls) * L (2021 NFRM OPPS Addenda; 2021 NFRM Addendum L.11302020.xlsx) * M (2021 NFRM OPPS Addenda; 2021 NFRM Addendum M.11302020.xlsx) * P (2021 Correction Notice OPPS Addendum P; 2021\_CN\_Addendum\_P.022221.xlsx) |
| Surgical Procedure HCPCS | [Unchanged language omitted]  For services rendered on or after October 1, 2021, HCPCS codes listed in column A, of CMS’ Ambulatory Surgical Center Payment System (ASC) “Oct 2021 ASC AA,” Column A, of CMS’ ASC “Oct 2021 ASC EE,” and CPT codes 20560, 20561, 21811-21813, 33289, 36415, and 36456, but, excluding HCPCS codes listed on CMS’ 2021 HOPPS Addendum E as an inpatient only procedure.  [ASC Addenda](https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/ASCPayment/11_Addenda_Updates.html) AA and EE may be found in: “[October 2021 ASC Approved HCPCS Code and Payment Rates-Updated 09/23/2021](https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/ASCPayment/11_Addenda_Updates)” (October\_2021\_ASC\_Addenda.092232021.xlsx) at: https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/ASCPayment/index.html |

The Order dated September 23, 2001, remains in effect for services on or after October 1, 2021, except as modified by this Order.

This Order and the updated regulations shall be published on the website of the Division of Workers’ Compensation on the [Hospital Outpatient Departments and Ambulatory Surgical Centers Fee schedule](https://www.dir.ca.gov/dwc/OMFS9904.htm#6) webpage.

**IT IS SO ORDERED.**

Dated: November 19, 2021 /S/ GEORGE P. PARISOTTO\_\_\_\_\_\_\_

GEORGE P. PARISOTTO

Administrative Director of the

Division of Workers’ Compensation