

**State of California
Office of Administrative Law**

In re:
Division of Workers' Compensation

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Regulatory Action:

Government Code Section 11349.3

Title 8, California Code of Regulations

OAL File No. 2014-0911-02 S

Adopt sections:

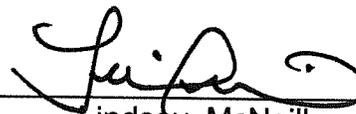
Amend sections: 9792.5.1

Repeal sections:

This rulemaking action by the California Division of Workers Compensation (DWC) amends section 9792.5.1 of title 8 of the California Code of Regulations and the California Division of Workers' Compensation Medical Billing and Payment Guide, which is incorporated by reference in this section. The Guide is amended to reflect the delayed effective date for the use of the International Classification of Diseases, 10th Revision (ICD-10) for one year, from October 1, 2014 to October 1, 2015, to coincide with the delayed ICD-10 transition date mandated by the Secretary of the United States Department of Health and Human Services (HHS) for entities covered under the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA).

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 9/30/2014.

Date: 9/30/2014



Lindsey McNeill
Attorney

For: DEBRA M. CORNEZ
Director

Original: Destie Overpeck
Copy: Jacqueline Schauer

NOTICE PUBLICATION/REGULATIONS SUBMISSION (See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

REGULAR

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2014-0715-02	REGULATORY ACTION NUMBER 2014-0911-025	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

ENDORSED FILED
IN THE OFFICE OF
2014 SEP 30 PM 1:16

2014 SEP 11 AM 8:55

OFFICE OF ADMINISTRATIVE LAW

Debra Bowen
DEBRA BOWEN
SECRETARY OF STATE

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY
Department of Industrial Relations, Division of Workers' Compensation

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE	
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON		TELEPHONE NUMBER 0	FAX NUMBER (Optional) 0
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn			NOTICE REGISTER NUMBER 2014, 30C	PUBLICATION DATE 7/25/2014

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Workers' Compensation: Medical Billing ICD-10 Delay	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2011-0307-03 S; 2013-1230-05 C
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 9792.5.1
TITLE(S) 8	REPEAL

3. TYPE OF FILING

<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify)		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify)
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify)		

7. CONTACT PERSON Jacqueline Schauer	TELEPHONE NUMBER 510 286-0563	FAX NUMBER (Optional) (510) 286-0687	E-MAIL ADDRESS (Optional) jschauer@dir.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Destie Lee Overpeck</i>	DATE 9/10/14
TYPED NAME AND TITLE OF SIGNATORY Destie Lee Overpeck, Acting Administrative Director	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED
SEP 30 2014
Office of Administrative Law

**Title 8, California Code of Regulations
Chapter 4.5 Division of Workers' Compensation
Subchapter 1 Administrative Director – Administrative Rules**

**Article 5.5.0 Rules for Medical Treatment Billing and Payment
on or after October 15, 2011**

Section 9792.5.1 Medical Billing and Payment Guide; Electronic Medical Billing and Payment Companion Guide; Various Implementation Guides.

(a) The *California Division of Workers' Compensation Medical Billing and Payment Guide*, versions listed below, which set forth billing, payment and coding rules for paper and electronic medical treatment bill submissions, are incorporated by reference. They may be downloaded from the Division of Workers' Compensation through the Department of Industrial Relations' website at www.dir.ca.gov or may be obtained by writing to:

DIVISION OF WORKERS' COMPENSATION
MEDICAL UNIT
ATTN: MEDICAL BILLING AND PAYMENT GUIDE
P.O. BOX 71010
OAKLAND, CA 94612

- (1) California Division of Workers' Compensation Medical Billing and Payment Guide 2011, for bills submitted on or after October 15, 2011.
- (2) California Division of Workers' Compensation Medical Billing and Payment Guide, Version 1.1, for bills submitted on or after January 1, 2013.
- (3) California Division of Workers' Compensation Medical Billing and Payment Guide, Version ~~1.2.1~~ 2.1, for bills submitted on or after February 12, 2014.

(b) The *California Division of Workers' Compensation Electronic Medical Billing and Payment Companion Guide*, versions listed below, which sets forth billing, payment and coding rules and technical information for electronic medical treatment bill submissions, are incorporated by reference. They may be downloaded from the Division of Workers' Compensation website at www.dir.ca.gov or may be obtained by writing to:

DIVISION OF WORKERS' COMPENSATION
MEDICAL UNIT
ATTN: MEDICAL BILLING AND PAYMENT COMPANION GUIDE
P.O. BOX 71010
OAKLAND, CA 94612

- (1) California Division of Workers' Compensation Electronic Medical Billing and Payment Companion Guide, Version 1.0, dated 2012, for bills submitted on or after October 18, 2012.
- (2) California Division of Workers' Compensation Electronic Medical Billing and Payment Companion Guide, Version 1.1, for bills submitted on or after January 1, 2013.

(3) California Division of Workers' Compensation Electronic Medical Billing and Payment Companion Guide, Version 1.2, for bills submitted on or after February 12, 2014.

Authority: Sections 133, 4603.4, 4603.5 and 5307.3, Labor Code.

Reference: Section 4600, 4603.2 and 4603.4, Labor Code.