

**§ 9789.60. Durable Medical Equipment, Prosthetics, Orthotics, Supplies.**

(a) For services, equipment, or goods provided after January 1, 2004, the maximum reasonable reimbursement for durable medical equipment, supplies and materials, orthotics, prosthetics, and miscellaneous supplies and services shall not exceed one hundred twenty (120) percent of the rate set forth in the CMS' Durable Medical Equipment, Prosthetics/Orthotics, and Supplies (DMEPOS) Fee Schedule, as established by Section 1834 of the Social Security Act (*42 U.S.C. § 1395m*) and applicable to California. The DMEPOS Fee Schedule, which can be found on the CMS Internet Website (<http://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/DMEPOSFeeSched/DMEPOS-Fee-Schedule.html>) is incorporated by reference and will be made available on the Division of Workers' Compensation's Internet Website ([http://www.dir.ca.gov/DWC/dwc\\_home\\_page.htm](http://www.dir.ca.gov/DWC/dwc_home_page.htm)) or upon request to the Administrative Director at:

Division of Workers' Compensation (Attention: OMFS)  
P.O. Box 420603  
San Francisco, CA 94142.

(b) The following procedures in the Special Services and Reports section of the OMFS 2003 will not be valid for services rendered after January 1, 2004: CPT Code 99002.

Authority: Sections 133, 4603.5, 5307.1 and 5307.3, Labor Code.  
Reference: Sections 4600, 4603.2 and 5307.1, Labor Code.