

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



**Order of the Administrative Director of the Division of Workers'
Compensation Official Medical Fee Schedule
Pharmaceuticals and Pharmacy Services
Interpreting Effect of Change in Medi-Cal Payment System**

Pursuant to Labor Code section 5307.1(g)(2), the Administrative Director of the Division of Workers' Compensation makes the following interpretive order relating to a change to the Medi-Cal payment system adopted by section 39 of California Statutes 2009, chapter 5 (Assembly Bill 4X5; Welfare and Institutions Code section 14105.455) and relating to the Official Medical Fee Schedule contained in title 8, California Code of Regulations, section 9789.40, Pharmacy.

Medi-Cal Methods Source

On July 28, 2009, Assembly Bill X 4 5 was enacted into law, adding section 14105.455 to the Welfare and Institutions Code. That section requires that when pharmacy providers bill the Medi-Cal program for prescribed drugs, they submit certain defined charges. The charges required to be submitted pursuant to this section differ from the rates prescribed in section 14105.45 of the Welfare and Institutions Code.

The changes made by section 39 of California Statutes 2009, chapter 5 (ABX4 5) shall not apply to payment for pharmaceuticals and pharmacy services in workers' compensation claims. The Administrative Director determines that the changes effected by this statute are not a relevant change to the Medi-Cal payment system within the meaning of Labor Code section 5307.1.

This Order shall be published on the website of the Division of Workers' Compensation:
<http://www.dir.ca.gov/dwc/OMFS9904.htm#3>

IT IS SO ORDERED.

Dated: September 4, 2009

ORIGINAL ORDER SIGNED
DESTIE LEE OVERPECK
Acting Chief Deputy Administrative Director
Division of Workers' Compensation