State of California

Department of Industrial Relations

DIVISION OF WORKERS’ COMPENSATION



**Revised Order of the Administrative Director of the
Division of Workers’ Compensation
Official Medical Fee Schedule
Durable Medical Equipment, Prosthetics, Orthotics, Supplies
Effective for Services Rendered on or after January 1, 2023**

The Administrative Director issued the DMEPOS update order for Quarter One of 2023 on December 14, 2022. Thereafter, on December 19, 2022, the Centers for Medicare and Medicare Services issued a corrected DMEPOS file for Quarter 1 of 2023. This revised order supersedes the order dated December 14, 2022.

Pursuant to Labor Code section 5307.1, subdivision (g)(2), the Administrative Director of the Division of Workers’ Compensation orders that the Durable Medical Equipment, Prosthetics, Orthotics, Supplies portion of the Official Medical Fee Schedule contained in title 8, California Code of Regulations, section 9789.60, is adjusted to conform to changes to the Medicare payment system that were adopted by the Centers for Medicare & Medicaid Services (CMS) in the calendar year 2023 annual DMEPOS Fee Schedule update.

Medicare Data Source and Incorporation by Reference

Effective for services rendered on or after January 1, 2023**,** the maximum reasonable fees for

Durable Medical Equipment, Prosthetics, Orthotics, Supplies shall not exceed 120% of the applicable California fees set forth in the Medicare calendar year 2023 “Durable Medical Equipment, Prosthetics/Orthotics, and Supplies (DMEPOS) Fee Schedule” revised effective January 2023, contained in the electronic file “[DME23-A (Updated 12/19/2022) (ZIP)](https://www.cms.gov/files/zip/dme23-updated-12192022.zip)” which is adopted and incorporated by reference, excluding the “Former CBA Fee Schedule File”, “Former CBA National Mail-Order DTS Fee Schedule File”, and “Former CBA Zip Code File PUF”.

The fee schedule data files (DMEPOS\_Jan and DMEPEN\_Jan) set forth two columns for California labeled: “CA (NR)” [California Non-Rural] and “CA (R)” [California Rural]. For the services on or after January 1, 2023, payment shall not exceed 120% of the fee set forth for the HCPCS code in the CA (NR) column, except the fee shall not exceed 120% of the fee set forth in the CA (R) column if the injured worker’s residence zip code appears on the DME Rural Zip Code Quarter 1, 2023 file. Where column CA (NR) sets forth a fee for a code, but CA (R) for the code is listed as “0.00” the fee shall not exceed 120% of the CA (NR) fee, regardless of whether the injured worker’s address zip code is rural or non-rural.

[DME23-A (Updated 12/19/2022) (ZIP)](https://www.cms.gov/files/zip/dme23-updated-12192022.zip) includes the following documents which are incorporated by reference:

DMEBACK 2023

DMEPEN\_Jan

DMEPOS\_Jan

DMEREAD 2023

DME Rural Zip Code Quarter 1, 2023

Excluding:

Former CBA Fee Schedule File

Former CBA National Mail-Order DTS Fee Schedule File

Former CBA ZIP Code File PUF

The [CMS Manual System, Pub 100-4 Medicare Claims Processing, Transmittal 11722, Change Request 13006](https://www.cms.gov/files/document/r11722cp.pdf), December 2, 2022 sets forth the annual changes for 2023 and is relied upon in adopting this update Order. CMS indicates that: “The 12/19/2022 update includes corrections to the January 2023 DMEPOS\_Jan Excel and CSV files.”

The Medicare January 2023 DMEPOS Fee Schedule Information is available on the [CMS’ DMEPOS Fee Schedule file webpage](https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/DMEPOSFeeSched/DMEPOS-Fee-Schedule).

This Order shall be published on the [Division of Workers’ Compensation’s DMEPOS webpage](http://www.dir.ca.gov/dwc/OMFS9904.htm#3).

**IT IS SO ORDERED.**

Dated: December 28, 2022 /S/ GEORGE P. PARISOTTO\_\_\_\_\_\_\_

GEORGE P. PARISOTTO

Administrative Director of the

Division of Workers’ Compensation