State of California

Department of Industrial Relations

DIVISION OF WORKERS’ COMPENSATION



**[Proposed] Order of the Administrative Director of the**

**Division of Workers’ Compensation**

**Medical Treatment Utilization Schedule – Evidence-Based Updates to the MTUS**

**Effective for Services Rendered on or after May 25, 2023**

Labor Code section 5307.27, subdivision (a), provides that evidence-based updates to the Medical Treatment Utilization Schedule (MTUS) shall be made by issuance of an Administrative Director order exempt from Labor Code sections 5307.3 and 5307.4, and the rulemaking provisions of the Administrative Procedure Act.

Pursuant to Labor Code section 5307.27, subdivision (a), the Administrative Director of the Division of Workers’ Compensation hereby orders evidence-based updates to the MTUS contained in Title 8, California Code of Regulations, section 9792.22, 9792.23.2, and 9792.24.7 as set forth in Addenda One and Two, which are attached and incorporated by reference into this Order*.* This order will become effective on May 25, 2023. Responses to submitted comments shall be provided prior to the effective date of the updates. This order shall be published on the Department of Industrial Relations, Division of Workers’ Compensation internet website.

IT IS SO ORDERED,

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

GEORGE P. PARISOTTO

Administrative Director of the

Division of Workers’ Compensation

ADDENDUM ONE TO ADMINISTRATIVE DIRECTOR ORDER

[Effective for services on or after May 25, 2023]

**§ 9792.22. General Approaches.**

(a) The Administrative Director adopts and incorporates by reference into the MTUS specific guidelines set forth below from the American College of Occupational and Environmental Medicine’s Occupational Medicine Practice Guidelines (ACOEM Practice Guidelines) for the following chapters.

(1) Prevention (ACOEM May 1, 2011).

(2) General Approach to Initial Assessment and Documentation (ACOEM July 25, 2016).

(3) Initial Approaches to Treatment (ACOEM October 22, 2021).

(4) ~~Cornerstones of Disability Prevention and Management (ACOEM May 1, 2011)~~Work Disability Prevention and Management (ACOEM April 11, 2022).

Note: Authority cited: Sections 133, 4603.5, 5307.3 and 5307.27, Labor Code. Reference: Sections 77.5, 4600, 4604.5 and 5307.27, Labor Code.

**§ 9792.23.2. Shoulder Disorders Guideline.**

The Administrative Director adopts and incorporates by reference the Shoulder Disorders Guideline (~~ACOEM August 1, 2016~~February 6, 2023) into the MTUS from the ACOEM Practice Guidelines.

Note: Authority cited: Sections 133, 4603.5, 5307.3 and 5307.27, Labor Code. Reference: Sections 77.5, 4600, 4604.5 and 5307.27, Labor Code.

**§ 9792.24.7. ~~Coronavirus (COVID-19)~~COVID-19 Guideline.**

The Administrative Director adopts and incorporates by reference the ~~Coronavirus (COVID-19)~~ COVID-19 Guideline (~~ACOEM March 29, 2021~~March 6, 2023) into the MTUS from the ACOEM Practice Guidelines.

Note: Authority cited: Sections 133, 4603.5, 5307.3 and 5307.27, Labor Code. Reference: Sections 77.5, 4600, 4604.5 and 5307.27, Labor Code.

ADDENDUM TWO TO ADMINISTRATIVE DIRECTOR ORDER

[Effective for services on or after May 25, 2023]

**ACOEM Guidelines adopted and incorporated by reference**

* Work Disability Prevention and Management (ACOEM April 11, 2022)
* Shoulder Disorders Guideline (ACOEM February 6, 2023)
* COVID-19 Guideline (ACOEM March 6, 2023)