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
Durable Medical Equipment, Prosthetics, Orthotics, Supplies
Effective for Services Rendered on or after April 1, 2023**

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 (DMEPOS) 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 April 2023 Quarter 2 DMEPOS Fee Schedule update.

Medicare Data Source and Incorporation by Reference

CMS has indicated adoption of the following April 2023 Quarter 2 DMEPOS updates:

“This recurring update notification provides updates for the following files:

1. DMEPOS fee schedule file for Quarter 2, 2023

2. DMEPOS Rural ZIP code file for Quarter 2, 2023

3. No updates to the PEN fee schedule file for Quarter 2, 2023”

[[CMS Transmittal 11910, Change Request 13153](https://www.cms.gov/files/document/r11910cp.pdf), March 16, 2023]

Effective for services rendered on or after April 1, 2023**,** the following documents within the [CMS’ DME23-B (Updated 03/30/2023) (ZIP)](https://www.cms.gov/files/zip/dme23-b-updated-03/30/2023.zip) are adopted and incorporated by reference and supersede the prior documents:

1. DMEBACK 2023
2. DMEPOS\_Apr
3. DMEREAD 2023
4. DME Rural ZIP Code Quarter 2, 2023 File

The Order dated December 28, 2022 adopting the Medicare calendar year 2023 “Durable Medical Equipment, Prosthetics/Orthotics, and Supplies (DMEPOS) Fee Schedule,” contained in the electronic file “[DME23-A (Updated 12/19/2022) (ZIP)](https://www.cms.gov/files/zip/dme23-updated-12192022.zip) ” remains in effect for parenteral and enteral nutrition products and services as set forth in the “2023 Parenteral and Enteral Nutrition Items and Services (PEN) Fee Schedule,” for services on or after January 1, 2023 in the file “DMEPEN\_Jan”.

The fee schedule data files (DMEPOS\_Apr and DMEPEN\_Jan) each set forth two columns for California labeled: “CA (NR)” [California Non-Rural] and “CA (R)” [California Rural]. For the services on or after April 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 2, 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.

The CMS Manual System, Pub 100-4 Medicare Claims Processing, Transmittal 11910, Change Request 13153, March 16, 2023, sets forth the Quarter 2 changes for 2023 and is relied upon in adopting this update Order.

The Medicare April 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: March 30, 2023 /S/ GEORGE P. PARISOTTO\_\_\_\_\_\_\_

GEORGE P. PARISOTTO

Administrative Director of the

Division of Workers’ Compensation