State of California

Department of Industrial Relations

DIVISION OF WORKERS’ COMPENSATION



**Order of the Administrative Director of the**

**Division of Workers’ Compensation**

**(Additional Update to Official Medical Fee Schedule**

**– Pathology and Clinical Laboratory Fee Schedule**

**Effective for Services Rendered on or after January 1, 2021)**

On December 30, 2020, pursuant to Labor Code section 5307.1, subdivision (g)(2), the Administrative Director of the Division of Workers’ Compensation issued an order adjusting the pathology and clinical laboratory portion of the Official Medical Fee Schedule adopted in title 8, California Code of Regulations, section 9789.50, to conform to changes to the Medicare payment system that were adopted by the Centers for Medicare & Medicaid Services (CMS) for calendar year 2021. The Order adopted the Medicare Clinical Laboratory file 21CLABQ1 and adopted continued use of the prices of specified COVID-19 related testing codes that do not have national prices but are priced by the California Medicare Administrative Contractor. CMS issued a revised 2021 Pathology and Clinical Laboratory Fee Schedule file 21CLABQ1 (updated January 5, 2021), effective for services rendered on or after January 1, 2021 to supersede the original file. The Administrative Director adopted the revised file by Order dated January 15, 2021. Thereafter, on January 25, 2021, CMS published another revised Pathology and Clinical Laboratory Fee Schedule file [21CLABQ1 (Updated 01/25/2021)](https://www.cms.gov/medicaremedicare-fee-service-paymentclinicallabfeeschedclinical-laboratory-fee-schedule-files/21clabq1), effective for services rendered on or after January 1, 2021. This Order adopts a further update to conform to the January 25, 2021 Medicare revision to the 21CLABQ1 file effective January 1, 2021.

**Medicare Data Source and Incorporation by Reference**

Effective for services rendered on or after January 1, 2021, the maximum reasonable fees for pathology and laboratory services shall not exceed 120% of the applicable fees set forth in the calendar year 2021 Medicare Clinical Laboratory Fee Schedule, contained in the electronic file “[21CLABQ1 (Updated 01/25/2021)](https://www.cms.gov/medicaremedicare-fee-service-paymentclinicallabfeeschedclinical-laboratory-fee-schedule-files/21clabq1)”, which is adopted and incorporated by reference. It is available on the [CMS Clinical Laboratory webpage](https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/ClinicalLabFeeSched/Clinical-Laboratory-Fee-Schedule-Files.htm).

The Order dated December 30, 2020 remains in effect for services on or after January 1, 2021, except that the 21CLABQ1 (Updated 01/25/2021) data file supersedes the original data file and the January 5, 2021 data file. Maximum prices set forth in the December 30, 2020 Order for specified COVID-19 related testing codes remain in effect.

This Order is effective for services rendered on or after January 1, 2021, and shall be published on the website of the Division of Workers’ Compensation on the [Pathology and Clinical Laboratory webpage](https://www.dir.ca.gov/dwc/OMFS9904.htm#2).

**IT IS SO ORDERED**

Dated: January 26, 2021 /S/ GEORGE P. PARISOTTO\_\_\_\_\_\_

Administrative Director of the

Division of Workers’ Compensation