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 October 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 October 2023 Quarter 4 DMEPOS Fee Schedule update.

Medicare Data Source and Incorporation by Reference

CMS has indicated adoption of the following October 2023 Quarter 4 DMEPOS updates:

“This instruction provides updates for the following files:

1. DMEPOS fee schedule file for October 2023 (Quarter 4)

2. DMEPOS Rural ZIP code file for October 2023 (Quarter 4)”

[[CMS Transmittal 12228, Change Request 13343](https://www.cms.gov/regulations-and-guidance/guidance/transmittals/2023-transmittals/r12228cp), August 31, 2023]

CMS did not adopt a Parenteral and Enteral Nutrition (PEN) Fee Schedule update for Quarter 4 of 2023.

Effective for services rendered on or after October 1, 2023**,** the following documents within the CMS’ [DME23D (ZIP)](https://www.cms.gov/medicare/payment/fee-schedules/dmepos/dmepos-fee-schedule/dme23-d) are adopted and incorporated by reference; and supersede the prior documents:

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

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)” 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,” in the file “DMEPEN\_Jan”.

The fee schedule data files (DMEPOS\_Oct 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 October 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 4, 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 100-04 Medicare Claims Processing, Transmittal 12228, Change Request 13343, August 31, 2023, sets forth the Quarter 4 changes for 2023 and is relied upon in adopting this update Order.

The Medicare October 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: September 26, 2023 /S/ GEORGE P. PARISOTTO\_\_\_\_\_\_\_

GEORGE P. PARISOTTO

Administrative Director of the

Division of Workers’ Compensation