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 – Pathology and Clinical Laboratory**

**(Additional Update to Conform to Further CMS Revisions to Adopt New COVID-19 Related Codes and Fees)**

On March 24, 2020, 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 the second quarter of 2020. Thereafter, CMS issued a revised quarter two [Clinical Laboratory file dated April 6, 2020](https://www.cms.gov/medicaremedicare-fee-service-paymentclinicallabfeeschedclinical-laboratory-fee-schedule-files/20clabq2). The Administrative Director adopted the Clinical Laboratory revised file, and COVID-19 testing codes included in [CMS-Ruling 2020-1-R](https://www.cms.gov/files/document/cms-2020-01-r.pdf), by Order dated April 15, 2020. On May 19, 2020, CMS published additional COVID-19 testing codes and related fees.

Pursuant to Labor Code section 5307.1, subdivision (g), the Administrative Director of the Division of Workers’ Compensation orders that the pathology and clinical laboratory portion of the Official Medical Fee Schedule adopted in title 8, California Code of Regulations, section 9789.50, is adjusted to conform to Medicare payment system changes that adopt additional COVID-19 testing codes and fees, effective for services rendered on or after the dates as specified below.

Medicare Data Source

On May 19, 2020, CMS published updated Medicare fees for CPT COVID-19 testing codes in the document “[Medicare Administrative Contractor (MAC) COVID-19 Test Pricing May 19, 2020](https://www.cms.gov/files/document/mac-covid-19-test-pricing.pdf)”. (The new COVID-19 CPT testing codes were published by the American Medical Association, as documented on the [AMA’s “COVID-19 coding and guidance” webpage](https://www.ama-assn.org/practice-management/cpt/covid-19-coding-and-guidance).) For workers’ compensation, the maximum reasonable fee is 120% of the Medicare rate pursuant to Labor Code section 5307.1.

CPT Code 87635

Medicare MAC fee $51.31

CA Workers’ Compensation fee $61.57

CPT Code 86769

Medicare MAC fee $42.13

CA Workers’ Compensation fee $50.56

CPT Code 86328

Medicare MAC fee $45.23

CA Workers’ Compensation fee $54.28

The Administrative Director adopts the following changes to the “COVID-19 Testing Codes and Specimen Collection Codes and Descriptors” table adopted by the April 15, 2020 Order, as indicated in strikethrough and double underline below. The effective dates for the COVID-19 testing and specimen codes and fees are adopted as set forth in the table below.

| **COVID-19 Testing Codes and Specimen Collection Codes and Descriptors** | **Effective Date****(Services on or After)** | **Maximum Workers’ Compensation Fee****(120% of Medicare Rate)** |
| --- | --- | --- |
| U0001Short Descriptor: 2019 –nCoV diagnostic PLong Descriptor: CDC 2019 Novel Coronavirus (2019-nCoV) Real-Time RT-PCR Diagnostic Panel | February 4, 2020 | $43.09 |
| U0002Short Descriptor: COVID-19 lab test non-CDC Long Descriptor: 2019-nCoV Coronavirus, SARS-CoV-2/2019-nCoV (COVID-19), any technique, multiple types or subtypes (includes all targets), non-CDC | February 4, 2020 | $61.57 |
| U0003Long Descriptor: Infectious agent detection by nucleic acid (DNA or RNA); severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (Coronavirus disease [COVID-19]), amplified probe technique, making use of high throughput technologies as described by CMS-2020-01-R | March 18, 2020 | $120.00 |
| U0004Long Descriptor: 2019-nCoV Coronavirus, SARS-CoV-2/2019-nCoV (COVID-19), any technique, multiple types or subtypes (includes all targets), non-CDC, making use of high throughput technologies as described by CMS-2020-01-R | March 18, 2020 | $120.00 |
| G2023Short Descriptor: Specimen collect COVID-19Long Descriptor: Specimen collection for severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (Coronavirus disease [COVID-19]), any specimen source | March 1, 2020 | $28.15 |
| G2024Short Descriptor: Spec coll SNF/Lab COVID-19Long Descriptor: specimen collection for severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (Coronavirus disease [COVID-19]), from an individual in a SNF or by a laboratory on behalf of a HHA, any specimen source | March 1, 2020 | $30.55 |
| CPT 87635Short Descriptor: SARS-COV-2 COVID-19 AMP PRB Long Descriptor: Infectious agent detection by nucleic acid (DNA or RNA); severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (Coronavirus disease [COVID-19]), amplified probe technique | March 13, 2020 | $61.57~~Medicare rate not yet set.~~(See [CMS-Ruling 2020-1-R](https://www.cms.gov/files/document/cms-2020-01-r.pdf) : “It is noted that U0003 should identify tests that would otherwise be identified by CPT code 87635 but for being performed with these high throughput technologies.”)  |
| CPT 86769Short Descriptor: SARS-COV-2 COVID-19 ANTIBODYLong Descriptor: Antibody; severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (Coronavirus disease [COVID-19]) | April 10, 2020 | $50.56 |
| CPT 86328Short Descriptor: IA NFCT AB SARSCOV2 COVID19Long Descriptor: Immunoassay for infectious agent antibody(ies), qualitative or semiquantitative, single step method (eg, reagent strip); severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (Coronavirus disease [COVID-19]) | April 10, 2020 | $54.28 |

The April 15, 2020 Order remains in effect except as amended by this Order as set forth above.

This [Order](https://www.dir.ca.gov/dwc/OMFS9904.htm#2) shall be published on the website of the Division of Workers’ Compensation on the [Pathology](https://www.dir.ca.gov/dwc/OMFS9904.htm#7) and Clinical Laboratory webpage.

**IT IS SO ORDERED.**

Dated: May 21, 2020 /S/ GEORGE P. PARISOTTO\_\_\_\_\_\_\_

GEORGE P. PARISOTTO

Administrative Director of the

Division of Workers’ Compensation