State of California

Department of Industrial Relations

DIVISION OF WORKERS’ COMPENSATION



**Third Q2 Order of the Administrative Director of the**

**Division of Workers’ Compensation**

**Official Medical Fee Schedule – Durable Medical Equipment,**

**Prosthetics, Orthotics, Supplies**

**(Adopted for Services Rendered on or after April 1, 2021)**

On March 17, 2021, the Administrative Director of the Division of Workers’ Compensation issued an order adjusting the Durable Medical Equipment, Prosthetics, Orthotics, Supplies (“DMEPOS”) portion of the Official Medical Fee Schedule adopted in title 8, California Code of Regulations, section 9789.60, 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 2021. Thereafter, CMS issued a March 30, 2021 revised second quarter 2021 DMEPOS file contained in the electronic file “DME-21B (Updated 3/30/2021) (ZIP). The Administrative Director adopted the Medicare revised March 30, 2021, DMEPOS fee schedule file by Order dated April 2, 2021. Thereafter, CMS issued an updated DMEPOS Q2 file “[DME21-B (Updated 04/06/2021) (ZIP)](https://www.cms.gov/medicaremedicare-fee-service-paymentdmeposfeescheddmepos-fee-schedule/dme21-b)”.

The DME21-B (Updated 04/06/2021) zip file is identical to the DME-21B (Updated 3/30/2021) zip file, except that the Text Document version of the “DMEPOS\_Apr” document has been revised. The Microsoft Excel Worksheet and Microsoft Excel Comma Separated Values File versions of the “DMEPOS\_Apr” in the 04/06/2021 zip file were not revised; they remain identical to the 3/30/2021 zip file. This Order adopts the revised second quarter zip file for services rendered on or after April 1, 2021.

Pursuant to Labor Code section 5307.1, subdivision (g), the Administrative Director of the Division of Workers’ Compensation orders that the 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).

Medicare Data Source and Incorporation by Reference

Effective for services rendered on or after April 1, 2021, the maximum reasonable fees for Durable Medical Equipment, Prosthetics, Orthotics, Supplies shall not exceed 120% of the applicable California fees set forth in the Medicare second quarter 2021 “Durable Medical Equipment, Prosthetics/Orthotics, and Supplies (DMEPOS) Fee Schedule”, contained in the electronic file “[DME-21B (Updated 04/06/2021) (ZIP)](https://www.cms.gov/medicaremedicare-fee-service-paymentdmeposfeescheddmepos-fee-schedule/dme21-b)” which is adopted and incorporated by reference as follows.

[DME21-B (Updated 04/06/2021) (ZIP)](https://www.cms.gov/medicaremedicare-fee-service-paymentdmeposfeescheddmepos-fee-schedule/dme21-b) includes the following documents, which are incorporated by reference:

DMEPEN\_Apr

DMEPOS\_Apr

DMERuralZip\_Q22021

Excluding:

Former CBA Fee Schedule File

Former CBA National Mail-Order DTS Fee Schedule File

Former CBA ZIP Code File

CMS has not made second quarter updates to the following 2021 fee schedule PDF documents, which remain effective for services on or after April 1, 2021, except as may be superseded by the 2021 Quarter 2 files:

DMEBACK 2021

DMEREAD 2021

The fee schedule data files (DMEPOS\_Apr and DMEPEN\_Apr) 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, 2021, 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 DMERuralZip\_Q22021 file, contained in the electronic file “[DME21-B (Updated 04/06/2021) (ZIP)](https://www.cms.gov/medicaremedicare-fee-service-paymentdmeposfeescheddmepos-fee-schedule/dme21-b)”. 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 Medicare April 2021 DMEPOS Fee Schedule Information is available on the Centers for Medicare & Medicaid Services’ [DMEPOS Fee Schedule webpage](https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/DMEPOSFeeSched/DMEPOS-Fee-Schedule.html).

This Order shall be published on the Division of Workers’ Compensation [DMEPOS fee schedule webpage](https://www.dir.ca.gov/dwc/OMFS9904.htm#3).

**IT IS SO ORDERED.**

Dated: April 9, 2021 /S/ GEORGE P. PARISOTTO\_\_\_\_\_\_\_

GEORGE P. PARISOTTO

Administrative Director of the

Division of Workers’ Compensation