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 Fee Schedule**

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

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 changes to the Medicare payment system that were adopted by the Centers for Medicare & Medicaid Services (CMS) for calendar year 2021. The update includes fee schedule changes identified in [CMS Transmittal 10523, Change Request CR 12080](https://www.cms.gov/Regulations-and-Guidance/Guidance/Transmittals/Transmittals/r10523cp), which may be accessed on the Medicare website. In addition to the adoption of the updated 2021 clinical laboratory file, the Administrative Director adopts specified COVID-19 related testing codes and prices previously adopted for continued use in 2021.

Medicare Data Source and Incorporation by Reference

Except as set forth below, effective for services rendered on or after January 1, 2021, the maximum reasonable fees for pathology and clinical 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](https://www.cms.gov/medicaremedicare-fee-service-paymentclinicallabfeeschedclinical-laboratory-fee-schedule-files/21clabq1)” which is adopted and incorporated by reference.

The Administrative Director adopted fees for COVID-19 related testing codes by orders dated April 15, 2020 and May 21, 2020. Some of the codes were priced based on 120% of the fees established by the California Medicare Administrative Contractor Noridian, based upon the CMS document “[Medicare Administrative Contractor (MAC) COVID-19 Test Pricing May 19, 2020](https://www.cms.gov/files/document/mac-covid-19-test-pricing.pdf)”. For some codes, the MAC-established prices set forth in the May 19, 2020 document have been replaced by national prices in 21CLABQ1 as identified by “N” in the “Indicator” column. For codes identified by “L” in the “Indicator” column, national prices are still not established, but are priced by the local MAC. The following COVID-19 related codes set forth on the May 19, 2020 document are identified by Indicator “L” and do not yet have national fees set forth in the 21CLABQ1. For the following COVID-19 related codes, it is ordered that the maximum prices as set forth below, based upon 120% of the MAC-set price, continue for services on or after January 1, 2021.

| **COVID-19 Testing Codes and Specimen Collection Codes and Descriptors** | **Initial Effective Date**  **(Services on or After)** | **Maximum Workers’ Compensation Fee**  **(120% of Medicare Rate)** |
| --- | --- | --- |
| U0001  Short Descriptor: 2019 –nCoV diagnostic P  Long Descriptor: CDC 2019 Novel Coronavirus (2019-nCoV) Real-Time RT-PCR Diagnostic Panel | February 4, 2020 | $43.09 |
| U0002  Short 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 |
| CPT 87635  Short 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  (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 86769  Short Descriptor: SARS-COV-2 COVID-19 ANTIBODY  Long Descriptor: Antibody; severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (Coronavirus disease [COVID-19]) | April 10, 2020 | $50.56 |
| CPT 86328  Short Descriptor: IA NFCT AB SARSCOV2 COVID19  Long 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 |

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: December 30, 2020 /S/ GEORGE P. PARISOTTO\_\_\_\_\_\_

Administrative Director of the

Division of Workers’ Compensation