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 July 1, 2023**

**and earlier date as specified)**

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 2023, Quarter Three. The update includes fee schedule changes identified in [CMS Transmittal 12021, Change Request CR 13195](https://www.cms.gov/files/document/r12021cp.pdf), dated May 4, 2023, which may be accessed on the Medicare website. In addition to the adoption of the updated calendar year 2023 Quarter Three clinical laboratory file, the Administrative Director orders continued use of specified COVID-19 related testing codes and prices based upon 120% of the price set by the California Medicare Administrative Contractor Noridian.

Medicare Data Source and Incorporation by Reference

Except as set forth below, effective for services rendered on or after July 1, 2023, the maximum reasonable fees for pathology and clinical laboratory services shall not exceed 120% of the applicable fees set forth in the calendar year 2023 Medicare Clinical Laboratory Fee Schedule, contained in the electronic file “[23CLABQ3](https://www.cms.gov/apps/ama/license.asp?file=/files/zip/23CLABQ3.zip)” which is adopted and incorporated by reference.

The Administrative Director adopted fees for specified COVID-19 related testing codes by order dated March 30, 2021, effective April 1, 2021. The codes were priced based on 120% of the fees established by the California Medicare Administrative Contractor (MAC), Noridian, because national Medicare prices had not been established. The following COVID-19 related codes still do not have national Medicare prices, therefore it is ordered that the maximum prices as set forth below, based upon 120% of the local MAC-set price, continue for services rendered on or after April 1, 2021 as specified in the following table.

| **COVID-19 Testing Codes and Specimen Collection Codes and Descriptors** | **Effective Date****(Services on or After)** | **Maximum Workers’ Compensation Fee****(120% of Medicare Rate)** |
| --- | --- | --- |
| CPT 86409Short Descriptor: NEUTRLZG ANTB SARSCOV2 TITERLong Descriptor: Neutralizing antibody, severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) (coronavirus disease [COVID19]); titer | April 1, 2021 | $95.53 |
| CPT 86413Short Descriptor: SARS-COV-2 ANTB QUANTITATIVELong Descriptor: Severe acute respiratory syndrome coronavirus 2 (SARS-CoV2) (coronavirus disease [COVID-19]) antibody, quantitative | April 1, 2021 | $61.72 |

This Order is effective for services rendered on or after July 1, 2023, except for the earlier April 1, 2021 effective date for codes specified above, 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: June 29, 2023 /S/ GEORGE P. PARISOTTO\_\_\_\_\_\_

Administrative Director of the

Division of Workers’ Compensation