

State of California  
Department of Industrial Relations  
DIVISION OF WORKERS' COMPENSATION



**Order of the Administrative Director of the  
Division of Workers' Compensation  
(Revised OMFS Update for Physician Services and Non-Physician Practitioner  
Services - Effective July 1, 2018)**

**Background and Rationale Supporting the Revised Order**

On June 26, 2018, pursuant to Labor Code section 5307.1(g)(1),(2), the Administrative Director of the Division of Workers' Compensation issued an order that title 8, California Code of Regulations, section 9789.19, pertaining to the Physician and Non-Physician Practitioner Services Fee Schedule portion of the Official Medical Fee Schedule, be adjusted to conform to relevant changes in the Medicare Physician Fee Schedule. As part of this order, CMS' July 2018 quarterly update of the National Correct Coding Initiative "Medially Unlikely Edits" (MUE) was adopted for services rendered on or after July 1, 2018. The MUE file sets forth the maximum number of units of service related to a specific procedure that are medically likely to be reported by a treating physician. The MUE edits file serves as a useful screening tool to identify possible billing errors for many procedure codes and has been included in the Physician and Non-Physician Practitioner Fee Schedule since January 1, 2014.

In the July 1, 2018 Medicare quarterly update to the MUE file, many codes were added that list an MUE value of "0" (zero). Evaluation of the file reveals that many codes are listed as zero value due to Medicare coverage rules that do not apply to the scope of workers' compensation medical care. For example, acupuncture services (CPT codes 97810, 97811, 97813, 97814), listed as zero MUE value, are not covered services under Medicare, but can be a medically necessary service for an injured worker. Labor Code section 4600, states that, "[m]edical, surgical, chiropractic, acupuncture, and hospital treatment, including nursing, medicines, medical and surgical supplies, crutches, and apparatuses, including orthotic and prosthetic devices and services, that is reasonably required to cure or relieve the injured worker from the effects of his or her injury shall be provided by the employer."

The Physician and Non-Physician Fee Schedule regulations state: "Except where payment ground rules differ from the Medicare ground rules, claims administrators shall apply the NCCI physician coding edits" (title 8, Cal. Code Regs. §9789.12.13(a).) To lessen possible confusion and to avoid inappropriate denial of bills, the Administrative Director issues this order which replaces the full CMS July 2018 MUE update file adopted by the June 26, 2018 order, with an excerpt of the CMS July 2018 MUE update file, where all procedures assigned a value of "0" units are removed from file, for services rendered on or after July 1, 2018.

In addition, revisions are made to conform to revised Medicare nomenclature. The “Physician CCI Edits” are now entitled “Practitioner PTP Edits”.

### Revised July 1, 2018 Update Order

The Administrative Director hereby orders that the regulations be revised for services rendered on or after July 1, 2018. Revisions made by this Order are shown in underline and strikethrough.

**Title 8, California Code of Regulations, section 9789.12.13**, is amended as follows:

#### § 9789.12.13 Correct Coding Initiative

(a) The National Correct Coding Initiative Edits (“NCCI”) adopted by the CMS shall apply to payments for medical services under the Physician Fee Schedule. Except where payment ground rules differ from the Medicare ground rules, claims administrators shall apply the NCCI physician coding edits ~~and medically unlikely edits~~ (Practitioner PTP Edits and Medically Unlikely Edits, excluding codes with an MUE value of zero) to bills to determine appropriate payment. Claims Administrators shall utilize the National Correct Coding Initiative Coding Policy Manual for Medicare Services. If a billing is reduced or denied reimbursement because of application of the NCCI, the claims administrator must notify the physician or qualified non-physician practitioner of the basis for the denial, including the fact that the determination was made in accordance with the NCCI.

(b) The [National Correct Coding Initiative Coding Policy Manual](http://www.cms.hhs.gov/NationalCorrectCodInitEd/) may be obtained from the CMS website: <http://www.cms.hhs.gov/NationalCorrectCodInitEd/>. See section 9789.19 for the adopted version of the NCCI Coding Policy Manual, by date of service.

(c) Medically Unlikely Edits are published by [CMS](http://www.cms.gov) on its website at: <http://www.cms.gov/Medicare/Coding/NationalCorrectCodInitEd/MUE.html> in the document “Practitioner Services MUE Table.” See section 9789.19 for the adopted version of the Practitioner Services MUE Table, by date of service. For services on or after July 1, 2018, see section 9789.19 for the excerpt of the adopted Practitioner Services MUE Table (which excludes codes with zero value), by date of service.

(d) Physician NCCI Edits are published by [CMS](http://www.cms.gov) on its website at: <http://www.cms.gov/Medicare/Coding/NationalCorrectCodInitEd/NCCI-Coding-Edits.html> in the documents ~~“Physician CCI Edits”~~ “Practitioner PTP Edits”. See section 9789.19 for the adopted version of the ~~Physician CCI~~ Practitioner PTP Edits, by date of service.

**Title 8, California Code of Regulations, section 9789.19 subdivision (e)**, is amended to adopt the CMS July 2018 MUE file, excluding all codes listed with Practitioner Services MUE Value of “0” (zero), in place of the full CMS July 2018 MUE file.

Revisions made by this Order are shown in underline and strikethrough.

CCI Edits:	For services rendered on or after January 1, 2018, use:
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<p>Medically Unlikely Edits</p>	<p>“Practitioner Services MUE Table - Effective 1/1/18”  <u>Copy of the MUE Table is posted on the <a href="http://www.dir.ca.gov/dwc/OMFS9904.htm">DWC website:</a></u>  <a href="http://www.dir.ca.gov/dwc/OMFS9904.htm">http://www.dir.ca.gov/dwc/OMFS9904.htm</a></p> <p>For services rendered on or after April 1, 2018, use:  “Practitioner Services MUE Table - Effective 4/1/18”  <u>Copy of the MUE Table is posted on the <a href="http://www.dir.ca.gov/dwc/OMFS9904.htm">DWC website:</a></u>  <a href="http://www.dir.ca.gov/dwc/OMFS9904.htm">http://www.dir.ca.gov/dwc/OMFS9904.htm</a></p> <p>For services rendered on or after July 1, 2018, use:  “Practitioner Services MUE Table – Effective 07-01-2018 [ZIP, 346KB]”, <u>Excluding all codes listed with Practitioner Services MUE Value of “0” (zero).</u>  <u>Excerpt of the MUE Table is posted on the <a href="http://www.dir.ca.gov/dwc/OMFS9904.htm">DWC website:</a></u>  <a href="http://www.dir.ca.gov/dwc/OMFS9904.htm">http://www.dir.ca.gov/dwc/OMFS9904.htm</a></p> <p><del>Copies of the MUE Tables are posted on the <a href="http://www.dir.ca.gov/dwc/OMFS9904.htm">DWC website:</a></del>  <del><a href="http://www.dir.ca.gov/dwc/OMFS9904.htm">http://www.dir.ca.gov/dwc/OMFS9904.htm</a></del></p> <p><del>CMS posts only the most recent version of the <a href="http://www.cms.gov/Medicare/Coding/NationalCorrectCodeInitiative/MUE.html">Practitioner Services MUE Table</a> on the web at:</del>  <del><a href="http://www.cms.gov/Medicare/Coding/NationalCorrectCodeInitiative/MUE.html">http://www.cms.gov/Medicare/Coding/NationalCorrectCodeInitiative/MUE.html</a></del></p>
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The Excerpt of the “Practitioner Services MUE Table – Effective 07-01-2018 [ZIP, 346KB]”, excluding the codes with Practitioner Services MUE Value of “0”, is adopted and shall be posted on the OMFS webpage. The heading shall add the following language:

“CALIFORNIA DIVISION OF WORKERS' COMPENSATION EXCERPT OF CMS MUE TABLE (EXCLUDES ALL CODES WITH PRACTITIONER SERVICES MUE VALUE OF "0" (ZERO))”

**Title 8, California Code of Regulations, section 9789.19 subdivision (e)**, is amended to conform to the Medicare nomenclature; the “Physician CCI Edits” are now called the “Practitioner PTP Edits”. Revisions made by this Order are shown in underline and strikethrough.

<p>CCI Edits:  <del>Physician CCI Edits</del>  <del>(Practitioner Procedure to Procedure (PTP) Edits)</del></p>	<p>For services rendered on or after January 1, 2018:</p> <p>Practitioner PTP Edits v24.0 effective January 1, 2018 (511,599 records)  0001M/36591 – 25931/G0471</p> <p>Practitioner PTP Edits v24.0 effective January 1, 2018 (507,927 records)  26010/01810 – 36909/J2001</p> <p>Practitioner PTP Edits v24.0 effective January 1, 2018 (474,903 records)  37140/0213T – 60650/G0471</p> <p>Practitioner PTP Edits v24.0 effective January 1, 2018 (514,837 records) :  61000/0213T – R0075/R0070</p> <p>For services rendered on or after April 1, 2018:</p>
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	<p>Practitioner PTP Edits v24.1 effective April 1, 2018 (537,183 records) 0001M/36591 – 25931/G0471</p> <p>Practitioner PTP Edits v24.1 effective April 1, 2018 (482,358 records) 26010/01810 – 36909/J2001</p> <p>Practitioner PTP Edits v24.1 effective April 1, 2018 (523,111 records) 37140/0213T – 60650/G0471</p> <p>Practitioner PTP Edits v24.1 effective April 1, 2018 (466,820 records) 61000/0213T – R0075/R0070</p> <p><b>For services rendered on or after July 1, 2018:</b></p> <p>Practitioner PTP Edits v24.2 effective July 1, 2018 (539,120 records) 0001M/36591 – 26992/G0471</p> <p>Practitioner PTP Edits v24.2 effective July 1, 2018 (482,378 records) 27000/01995 – 37790/G0471</p> <p>Practitioner PTP Edits v24.2 effective July 1, 2018 (523,129 records) 38100/0213T – 61888/G0471</p> <p>Practitioner PTP Edits v24.2 effective July 1, 2018 (467,725 records) : 62000/0213T – R0075/R0070</p> <p>Access the <a href="#">Physician CCI Edits</a> <a href="#">Practitioner PTP Edits</a> on the CMS website: <a href="http://www.cms.gov/Medicare/Coding/NationalCorrectCodInitE/d/NCCI-Coding-Edits.html">http://www.cms.gov/Medicare/Coding/NationalCorrectCodInitE/d/NCCI-Coding-Edits.html</a></p> <p>Note: the <del>Physician CCI Edits</del> <a href="#">Practitioner PTP Edits</a> excel file maintained by CMS contains effective date and deletion date (if any) for each column 1/column 2 pair. Therefore, the most recent file is the only file posted on the CMS website, and covers all time periods.</p>
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The Order dated June 26, 2018, remains in effect for services on or after July 1, 2018, except as modified by this Order.

This Order and the regulations shall be published on the website of the [Division of Workers' Compensation](#): <http://www.dir.ca.gov/DWC/OMFS9904.htm>

**IT IS SO ORDERED.**

Dated: July 23, 2018

ORIGINAL SIGNED BY \_\_\_\_\_  
GEORGE P. PARISOTTO  
Administrative Director of the  
Division of Workers' Compensation