

## N E W S L I N E

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### **DWC issues 15 day notice of modifications to proposed physician fee schedule regulations**

The Division of Workers' Compensation (DWC) has issued a 15 day notice of modifications to proposed physician fee schedule [regulations](#). Comments on the modifications will be accepted until Aug. 19.

DWC has also posted several documents to help the public assess proposed rulemaking on the Official Medical Fee Schedule to transition to a physician fee schedule based on the resource-based relative value scale (RBRVS). The documents include: 1) text of the proposed amendments to the physician fee schedule, 2) notice of modification of text of proposed regulations and notice of addition of documents to the rulemaking file, 3) RAND report (August 2013), 4) RBRVS Public Use Analysis File (August 2013), and 5) RBRVS Public Use Analysis File Documentation (August 2013).

Modifications to the proposed physician fee schedule were made following stakeholder comments provided during a comment period that ended with a public hearing on July 17.

The proposed modifications include:

- The maximum reasonable fee formulas are revised to apply average statewide geographic adjustment factors to the work, practice, and malpractice expense relative value units (RVUs) for procedures other than anesthesia. A separate average statewide geographic adjustment factor will be applied to anesthesia services.
- The transition conversion factors were revised in light of RAND's refined modeling and application of the average statewide geographic adjustment factors.
- The regulation was revised to clarify the applicability of the 1995 or 1997 evaluation and management documentation guidelines.
- The proposed regulation was revised to clarify the hierarchy that should be used to determine payment for procedures with status indicator codes C, N, R, or I.

- The proposed regulation was revised to clarify “AAs” are “certified anesthesiologist assistants” instead of the term used by Medicare, “anesthesia assistants.”
- Added clarifying language regarding applicability of the MEI to the workers’ compensation specific codes and updated the maximum reasonable fees to estimated 2014.

Text of the proposed amendments to the physician fee schedule and related documents listed above to be posted on the DWC [rulemaking](#) webpage.

Members of the public are invited to present written comments regarding the proposed modifications by 5 p.m. on Monday, Aug. 19. DWC will consider only comments it has received by that time.

Address for submission of comments by e-mail is: [dwcrules@dir.ca.gov](mailto:dwcrules@dir.ca.gov). Submission of comments by facsimile: Maureen Gray, Regulations Coordinator, (510) 286-0687.

Address to submit comments by mail is:

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