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
Durable Medical Equipment, Prosthetics, Orthotics, Supplies
Effective for Services Rendered on or after July 1, 2023**

Pursuant to Labor Code section 5307.1, subdivision (g)(2), the Administrative Director of the Division of Workers’ Compensation orders that the Durable Medical Equipment, Prosthetics, Orthotics, Supplies (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) in the July 2023 Quarter 3 DMEPOS Fee Schedule update.

Medicare Data Source and Incorporation by Reference

CMS has indicated adoption of the following July 2023 Quarter 3 DMEPOS update:

“This instruction provides updates for the following files:

1. No update DMEPOS fee schedule file for July 2023

2. DMEPOS Rural ZIP code file for July (Quarter 3) 2023

3. No updates to the Parenteral and Enteral Nutrition (PEN) fee schedule file for July 2023”

[[CMS Transmittal 12068, Change Request 13235](https://www.cms.gov/regulations-and-guidance/guidance/transmittals/transmittals/r12068cp), June 2, 2023]

Effective for services rendered on or after July 1, 2023**,** the following document within the CMS’ [DME23C (ZIP)](https://www.cms.gov/medicare/medicare-fee-service-payment/dmeposfeesched/dmepos-fee-schedule/dme23c) is adopted and incorporated by reference and supersedes the prior document: “DME Rural ZIP Code Quarter 3, 2023”.

The Order dated March 30, 2023, adopting the Medicare calendar year 2023 Quarter 2 Durable Medical Equipment, Prosthetics, Orthotics, Supplies (DMEPOS) fee schedule update remains in effect except as superseded by this order.

The fee schedule data files (DMEPOS\_Apr and DMEPEN\_Jan) each set forth two columns for California labeled: “CA (NR)” [California Non-Rural] and “CA (R)” [California Rural]. For the services on or after July 1, 2023, 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 “DME Rural ZIP Code Quarter 3, 2023 File.” 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 CMS Manual System, Pub 100-4 Medicare Claims Processing, Transmittal 12068, Change Request 13235, June 2, 2023, sets forth the Quarter 3 changes for 2023 and is relied upon in adopting this update Order.

The Medicare July 2023 DMEPOS Fee Schedule Information is available on the [CMS’ DMEPOS Fee Schedule file webpage](https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/DMEPOSFeeSched/DMEPOS-Fee-Schedule).

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

**IT IS SO ORDERED.**

Dated: June 26, 2023 /S/ GEORGE P. PARISOTTO\_\_\_\_\_\_\_

GEORGE P. PARISOTTO

Administrative Director of the

Division of Workers’ Compensation