**State of California**

**Department of Industrial Relations**

**DIVISION OF WORKERS’ COMPENSATION**



**Order of the Administrative Director of the**

**Division of Workers’ Compensation**

Additional OMFS Update for Hospital Outpatient Departments and

Ambulatory Surgical Services

Effective February 15, 2024

On January 11, 2024, pursuant to Labor Code section 5307.1(g)(2), the Administrative Director of the Division of Workers’ Compensation issued an order that Title 8, California Code of Regulations, sections 9789.30 through 9789.39, pertaining to Hospital Outpatient Departments and Ambulatory Surgical Centers Fee Schedule in the Official Medical Fee Schedule, are adjusted to conform to CMS’ hospital outpatient prospective payment system (HOPPS) final rule of November 22, 2023; and the wage index values in CMS’ hospital inpatient prospective payment system (IPPS) final rule of August 28, 2023, and correction notice of October 4, 2023, to the IPPS final rule; and certain codes used, in part, to define surgical codes, in CMS’ Ambulatory Surgical Center Payment (ASC) Systems final rule of November 22, 2023. This Order adopts a further update in light of CMS’s February 9, 2024 Correction Notice to Final Rulemaking [CMS-1786-CN](https://www.cms.gov/medicare/payment/prospective-payment-systems/hospital-outpatient/regulations-notices/cms-1786-cn) making revisions to HOPPS Addenda A, B, and P along with ASC Addenda AA and EE files effective February 15, 2024.

**Title 8, California Code of Regulations, section 9789.39 subdivision (b)** is amended to adopt revised HOPPS Addendum A, B, and P. Section 9789.39 subdivision (b) is further amended to adopt ASC payment rates addenda found in column A of CMS’ ASC addendum AA and column A of CMS’ ASC addendum EE found in the January 2024 ASC Approved HCPCS Code and Payment Rates-Updated 02/15/2024 file, in place of the original file, for services rendered on or after February 15, 2024.

Conforming changes are adopted as follows (double strikethrough indicates deletion, double underline indicates addition) for services on or after February 15, 2024:

Applicable FR Notices

(A) November 22, 2023 (CMS-1786-FC; 88 FR 81540);

(B) August 28, 2023 (CMS-1785-F; 88 FR 58640 Final rule);

(C) October 4, 2023 (CMS-1785-CN; 88 FR 68482 Correction Notice);

(D) February 9, 2024 (CMS-1786-CN; 89 FR 9002 Correction Notice)

Ambulatory Surgical Centers Payment System Addenda

For services occurring on or after February 15, 2024, Column A, of Addendum AA, entitled, “HCPCS Code” and Column A, of Addendum EE, entitled, “HCPCS Code” located in “January 2024 ASC Approved HCPCS Code and Payment Rates-Updated 12/27/202302/15/2024” AA, BB, DD1, DD2, EE, and FF” (January\_2024\_ASC\_Addenda.1227202302152024.xlsx)

Note:

Access the files on [CMS](https://www.cms.gov/medicare/payment/prospective-payment-systems/ambulatory-surgical-center-asc/asc-payment-rates-addenda) website at: <https://www.cms.gov/medicare/medicare/payment/prospective-payment-systems/ambulatory-surgical-center-asc/asc-payment-rates-addenda>

APC Payment Rate

For services occurring on or after February 15, 2024, [Addendum A and B Updates](https://www.cms.gov/medicare/payment/prospective-payment-systems/hospital-outpatient/addendum-a-b-updates)[2024 CN OPPS Addendum A, B, and C-Updated 02/07/2024](https://www.cms.gov/medicare/payment/prospective-payment-systems/hospital-outpatient/regulations-notices/cms-1786-cn) - (January\_2024\_OPPS\_Addendum\_B.122120232024\_CN\_Addendum\_B.02072024.xlsx)

APC Relative Weight

For services occurring on or after February 15, 2024, [Addendum A and B Updates](https://www.cms.gov/medicare/payment/prospective-payment-systems/hospital-outpatient/addendum-a-b-updates)[2024 CN OPPS Addendum A, B, and C-Updated 02/07/2024](https://www.cms.gov/medicare/payment/prospective-payment-systems/hospital-outpatient/regulations-notices/cms-1786-cn) - (January\_2024\_OPPS\_Addendum\_B.122120232024\_CN\_Addendum\_B.02072024.xlsx)

HOPPS Addenda

For services occurring on or after February 15, 2024 addenda:

* A ([Addendum A and B Updates](https://www.cms.gov/medicare/payment/prospective-payment-systems/hospital-outpatient/addendum-a-b-updates);[2024 CN OPPS Addendum A, B, and C-Updated 02/07/2024](https://www.cms.gov/medicare/payment/prospective-payment-systems/hospital-outpatient/regulations-notices/cms-1786-cn); January\_2024\_OPPS\_Addendum\_B.122120232024\_CN\_Addendum\_A.02022024.xlsx)
* B ([Addendum A and B Updates](https://www.cms.gov/medicare/payment/prospective-payment-systems/hospital-outpatient/addendum-a-b-updates);[2024 CN OPPS Addendum A, B, and C-Updated 02/07/2024](https://www.cms.gov/medicare/payment/prospective-payment-systems/hospital-outpatient/regulations-notices/cms-1786-cn); (January\_2024\_OPPS\_Addendum\_B.122120232024\_CN\_Addendum\_B.02072024.xlsx)
* D1 (2024 NFRM OPPS Addenda; 2024 NFRM Addendum D1.11012023.xlsx)
* D2 (2024 NFRM OPPS Addenda; 2024 NFRM Addendum D2.11012023.xlsm)
* E (2024 NFRM OPPS Addenda; 2024 NFRM Addendum E.11012023.xlsx)
* J (2024 NFRM OPPS Addenda; 2024 NFRM Addendum J.11012023.xls)
* L (2024 NFRM OPPS Addenda; 2024 NFRM Addendum L.11012023.xlsx)
* M (2024 NFRM OPPS Addenda; 2024 NFRM Addendum M.11012023.xlsx)
* P (2024 NFRM OPPS Addenda; 2024 NFRM Addendum P.11012023.[2024 CN OPPS Addendum P](https://www.cms.gov/medicare/payment/prospective-payment-systems/hospital-outpatient/regulations-notices/cms-1786-cn); 2024\_CN\_Addendum\_P.02082024.xlsx)

Note:

Access the files on the [CMS](https://www.cms.gov/medicare/payment/prospective-payment-systems/hospital-outpatient/regulations-notices/cms-1786-fc) website at: <https://www.cms.gov/medicare/payment/prospective-payment-systems/hospital-outpatient/regulations-notice/cms-1786-fc>

Surgical Procedure HCPCS

For services rendered on or after February 15, 2024, HCPCS codes listed in column A, of CMS’ Ambulatory Surgical Center (ASC) Payment System “CYJanuary 2024 ASC AA,” Column A, of CMS’ ASC “CYJanuary 2024 ASC EE”, and CPT codes 15772, 15774, 15853, 15854, 20560, 20561, 20701-20705, 21811-21813, 22634, 33370, 33904, 35500, 35685, 35686, 36415, 36456, 49623, 57465, 63052, 63053, and 64629, but excluding HCPCS codes listed on CMS’ 2024 HOPPS Addendum E as an inpatient only procedure.

ASC Addenda AA and EE may be found in: [January 2024 ASC Approved HCPCS Code and Payment Rates-updated 12/27/202302/15/2024](https://www.cms.gov/medicare/payment/prospective-payment-systems/ambulatory-surgical-center-asc/asc-payment-rates-addenda) (January\_2024\_ASC\_Addenda.1227202302152024.xlsx) on the [CMS](https://www.cms.gov/medicare/payment/prospective-payment-systems/ambulatory-surgical-center-asc/asc-payment-rates-addenda) website at: <https://www.cms.gov/medicare/payment/prospective-payment-systems/ambulatory-surgical-center-asc/asc-payment-rates-addenda>

2024 HOPPS Addendum E (2024 NFRM Addendum E.11012023.xlsx) is found at: <https://www.cms.gov/medicare/payment/prospective-payment-systems/hospital-outpatient/regulations-notices/cms-1786-fc>

The effective date of this Order is for services rendered on or after February 15, 2024. The Order dated January 11, 2024, remains in effect for services on or after February 15, 2024, except as modified by this Order. This Order, and sections 9789.30 through 9789.39, shall be published on the website of the Division of Workers’ Compensation on the [Hospital Outpatient Departments and Ambulatory Surgical Centers Fee schedule](https://www.dir.ca.gov/dwc/OMFS9904.htm#6) webpage.

**IT IS SO ORDERED.**

Dated: February 22, 2024 /S/ GEORGE P. PARISOTTO

GEORGE P. PARISOTTO

Administrative Director of the

Division of Workers’ Compensation