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State of California Division of Workers' Compensation

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DWCNewsline

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Division of Workers' Compensation posts proposed revision to the hospital outpatient departments and ambulatory surgical centers fee schedule regulations for pre-rulemaking public comment

The Division of Workers' Compensation (DWC) has posted an online forum for members of the public to review and comment on drafts of revisions to the hospital outpatient departments (HOPD) and ambulatory surgical centers (ASC) fee schedule regulations which includes modification of the multiplier for payment of services performed in ambulatory surgical centers. These draft revisions to the regulations are part of the division's 12-point plan to monitor and help control medical costs in California's workers' compensation system.

The forum can be found at <http://www.dwc.ca.gov/DWCWCABForum/1.asp> and members of the public may comment until Aug. 24, 2010.

Labor Code Section 5307.1 requires that the official medical fee schedule (OMFS) for ASCs be based on the fee-related structure and rules of Medicare program. The Labor Code caps the aggregate allowances for ASCs at 120 percent of the fee paid by Medicare for the same services performed in a HOPD setting.

On May 27, 2010 the division held a stakeholder meeting to discuss issues relating to consideration of basing the ASC fee schedule on the Medicare ASC fee schedule. After considering the comments and concerns raised at the stakeholder meeting, DWC now proposes to revise the ambulatory surgical center fee schedule by modifying the multiplier for ambulatory surgical center facility fees to 100% of the Medicare outpatient fee schedule or 102% multiplier that includes an extra 2% reimbursement for high cost outlier cases.

Minor amendments have been made to the hospital outpatient departments and ambulatory surgical centers fee schedule to conform to the above proposed change, to update, clarify, and to improve the format of the regulations.

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