

DEPARTMENT OF LABOR AND EMPLOYMENT

Division of Workers' Compensation

7 CCR 1101-3

WORKERS' COMPENSATION RULES OF PROCEDURE

Rule 18 MEDICAL FEE SCHEDULE

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18-1 INTRODUCTION

Pursuant to § 8-42-101(3)(a)(I) and § 8-47-107, the Director promulgates this Medical Fee Schedule to review and establish maximum fees for health care services falling within the purview of the Workers' Compensation Act of Colorado. This Rule applies to services rendered on or after January 1, 2020. All other bills shall be reimbursed in accordance with the fee schedule in effect at the time service was rendered. This Rule shall be read together with Rule 16, Utilization Standards, and Rule 17, the Medical Treatment Guidelines.

The unofficial copies of Rule 18, other Colorado Workers' Compensation Rules of Procedure, and Interpretive Bulletins are available on the Division's website, <https://www.colorado.gov/pacific/cdle/dwc>. The rules also may be purchased from LexisNexis. An official copy of the rules is available on the Secretary of State's webpage, <http://www.sos.state.co.us/CCR/Welcome.do>, 7 CCR 1101-3.

18-2 INCORPORATION BY REFERENCE

The Director adopts and incorporates by reference the following materials:

- (A) National Physician Fee Schedule Relative Value file (RBRVS-Resource Based Relative Value Scale), as modified and published by Medicare in April 2019. Copies of RBRVS are available on Medicare's website, www.cms.gov/Medicare/Medicare-Fee-For-Service-Payment/PhysicianFeeSched/Index.html.
- (B) The Current Procedural Terminology CPT® 2019, Professional Edition, published by the American Medical Association (AMA). All CPT® modifiers are adopted, unless otherwise specified in this Rule; and
- (C) Medicare Severity Diagnosis Related Groups (MS-DRGs) Definitions Manual, Version 37 using MS-DRGs effective August 2019. The MS-DRGs Definitions Manual may be purchased from 3M Health Information Systems.
- (D) Health Care Common Procedure Coding System (HCPCS) Level II Professional 2019, published by the AMA.

All guidelines and instructions in the referenced materials are adopted, unless otherwise specified in this Rule. The incorporation is limited to the specific editions named and does not include later revisions or additions.

The Division shall make available for public review and inspection the copies of all materials incorporated by reference in Rule 18. Please contact the Medical Services Manager, 633 17th Street, Suite 400, Denver, Colorado 80202-3626. These materials also are available at any state publications depository library. All users are responsible for the timely purchase and use of these materials.

18-3 GENERAL POLICIES

- (A) Billing Codes and Fee Schedule:
 - (1) The Division establishes the Medical Fee Schedule based on RBRVS, as modified by Rule 18 and its exhibits.
 - (2) The Division incorporates CPT®, HCPCS, and National Drug Code (NDC) codes and values, unless otherwise specified in Rule 18. The providers may use CPT® Category III codes listed in the RBRVS with payer agreement. Payment for the Category III codes shall comply with Rule 16 policy for services that are not identified or identified but without established value in the Medical Fee Schedule.

- (3) Division-created codes and values (DoWC ZXXXX) supersede CPT®, HCPCS, and NDC codes and values.
- (4) Codes listed with RVUs of “BR” (by report), not listed, or listed with a zero value and not included by Medicare in another procedure(s), require prior authorization.

(B) Place of Service Codes:

The table below lists the place of service codes used with the RBRVS facility RVUs. All other maximum fee calculations shall use the non-facility RVUs listed in the RBRVS.

Place of Service Code	Place of Service Code Description
02	Telehealth Services
19	Off Campus – Outpatient Hospital
21	Inpatient Hospital
22	On Campus - Outpatient Hospital
23	Emergency Room-Hospital
24	Ambulatory Surgery Center (ASC)
26	Military Treatment Facility
31	Skilled Nursing Facility
34	Hospice
41	Ambulance - Land
42	Ambulance - Air or Water
51	Inpatient Psychiatric Hospital
52	Psychiatric Facility-Partial Hospitalization
53	Community Mental Health Center
56	Psychiatric Residential Treatment Center
61	Comprehensive Inpatient Rehabilitation Facility

(C) Correct Reporting and Payment Policies:

- (1) Providers shall report codes and number of units based on all applicable code descriptions and Rule 18. In addition, providers shall document all services/procedures in the medical record.
- (2) Providers shall report the most comprehensive code that represents the entire service.
- (3) Providers shall report only the primary services and not the services that are integral to the primary services.
- (4) Providers shall document the time spent performing all time-based services or procedures in accordance with applicable code descriptions.
- (5) Providers shall apply modifiers to clarify services rendered and/or adjust the maximum allowances as indicated in Rule 18. Prior to correcting a modifier, payers shall comply with Rule 16.
- (6) The Division does not recognize Medicare’s Medically Unlikely Edits.

18-4 PROFESSIONAL FEES AND SERVICES

(A) GENERAL INSTRUCTIONS

(1) Conversion Factors (CFs):

The maximum fees are determined by multiplying the following CFs by the established facility or non-facility total relative value units (RVUs) found in the corresponding RBRVS sections:

RBRVS SECTION	CF
Anesthesia	\$46.50/RVU
Surgery	\$70.00/RVU
Radiology	\$70.00/RVU
Pathology	\$70.00/RVU
Medicine	\$70.00/RVU
Physical Medicine and Rehabilitation (Includes Medical Nutrition Therapy and Acupuncture)	\$47.00/RVU
Evaluation & Management (E&M)	\$56.00/RVU

(2) Maximum Allowance:

- (a) Maximum allowance for most providers shall be 100% of the RBRVS value unless otherwise specified in this Rule.
- (b) The maximum allowance for professional services performed by Physician Assistants (PAs) and Nurse Practitioners (NPs) shall be 85% of the Medical Fee Schedule. However, PAs and NPs are allowed 100% of the Medical Fee Schedule if the requirements of Rule 16 have been met and one of the following conditions applies:
 - (i) The service is provided in a rural area. Rural area means:
 - a county outside a Metropolitan Statistical Area (MSA) or
 - a Health Professional Shortage Area, located either outside of an MSA or in a rural census tract, as determined by the Office of Rural Health Policy, Health Resources and Services Administration, United States Department of Health and Human Services.
 - (ii) The PA or NP is Level I Accredited.
- (c) The payer may negotiate reimbursement of travel expenses not addressed in the fee schedule (including transit time) with providers traveling to a rural area to serve an injured worker. Rural area is defined in subsection (2)(b)(i) above. This reimbursement shall be in addition to the maximum

allowance for services addressed in the fee schedule.

(3) The Division adopts the following RBRVS attributes or modifies them as follows:

- (a) HCPCS (Healthcare Common Procedure Coding System) –including any non-listed CPT® codes; Level I (CPT®) and Level II (HCPCS) Modifiers (listed and unlisted);
- (b) Modifier;
- (c) Description – short description as listed in the file and long description as specified in CPT®;
- (d) Status Code:

Code	Meaning
A	Separately Payable
B & P	Bundled Code
C	Payer-Priced
D, F & H	Deleted Code or Modifier
E, G, I, N, R, or X	Valid for CO WC
J	Anesthesia Code
M & Q	Measurement or Functional Information Codes - No Value
T	Paid When Only Payable Service, Otherwise Bundled

- (e) Increment of Service/Billable (when specified);
- (f) Conversion Factors listed in section 18-4(A)(1) or an exhibit to this Rule to establish value.
- (g) Anesthesia Base Unit(s), see section 18-4(C);
- (h) Non-Facility (NF) Total RVUs;
- (i) Facility (F) Total RVUs;
- (j) Professional Component/Technical Component Indicators:

Indicator	Meaning
0	Physician Service Codes – professional component/ technical component (PC/TC) distinction does not apply.
1	Diagnostic Radiology Tests - may be billed with or without modifiers 26 or TC.
2	Professional Component Only Codes – standalone professional service code (no modifier is appropriate because the code description dictates the service is professional only).
3	Technical Component Only Codes - standalone technical service code (no modifier is appropriate because the code description dictates the service is technical only).
4	Global Test Only Codes - modifiers 26 and TC cannot be used because the values equal to the sum of the total RVUs (work, practice expense and malpractice).
5	Incident To Codes - do not apply.
6	Laboratory Physician Interpretation Codes – separate payments may be made (these codes represent the professional component of a clinical laboratory service and cannot be billed with modifier TC).
7	Physical Therapy Service – not recognized.
8	Physician Interpretation Codes – separate payments may be made only if a physician interprets an abnormal smear for a hospital inpatient.
9	Concept of PC/TC distinction does not apply.

- (k) Global Days: the number of follow-up days beginning on the day after the surgery and continuing for the defined period.

Indicator	Meaning
000	Endoscopies or some minor surgical procedures, typically a zero day post-operative period. E&M visits on the same day as procedures generally are included in the procedure, unless a separately identifiable service is reported with an appropriate modifier.
010	Other minor procedures, 10-day post-operative period. E&M visits on the same day as procedures and during the 10-day post-operative period generally are included

	in the procedure, unless a separately identifiable service is reported with an appropriate modifier.
090	Major surgeries, 90-day post-operative period. E&M visits on the same day as procedures and during the 90-day post-operative period generally are included in the procedure, unless a separately identifiable service is reported with an appropriate modifier.
MMM	Global service days concept does not apply (see Medicare's Global Maternity Care reporting rule).
XXX	Global concept does not apply.
YYY	Identifies primarily "BR" procedures where "global days" need to be determined by the payer.
ZZZ	Code is related to another service and always included in the global period of the other service. Identifies "add-on" codes.

- (l) Pre-Operative Percentage Modifier: percentage of the global surgical package payable when pre-operative care is rendered by a provider other than the surgeon.

Indicator	Meaning
%	The physician shall append modifier 56 when performing only the pre-operative portion of any surgical procedure. This column lists the pre-operative percentage of the total surgical fee value.

- (m) Intra-Operative Percentage Modifier: percentage of the global surgical package payable when the surgeon renders only intra-operative care.

Indicator	Meaning
%	The surgeon shall append modifier 54 when performing only the intra-operative portion of a surgical procedure. This column lists the intra-operative percentage of the total surgical fee value.

- (n) Post-Operative Percentage Modifier: percentage of the global surgical package payable when post-operative care is rendered by a provider other than the surgeon.

Indicator	Meaning
%	The surgeon shall append modifier 55 when performing only the post-operative portion of a surgical procedure. This column lists the post-operative percentage of the total surgical fee value.

(o) Multiple-Procedure Modifier

Payers shall reimburse the highest-valued procedure at 100% of the fee schedule, even if the provider appends modifier 51. Payers shall reimburse the lesser-valued procedures performed in the same operative setting at 50% of the fee schedule, as follows:

Indicator	Meaning
0	No payment adjustment for multiple procedures applies. These codes are generally identified as “add-on” codes in CPT®.
1, 2, or 3	Standard payment reduction applies (100% for the highest-valued procedure and 50% for all lesser-valued procedures performed during the same operative setting).
4, 5, 6, or 7	Not subject to the multiple procedure adjustments.
9	Multiple procedure concept does not apply.

(p) Bilateral Procedures

Indicator	Meaning
0	Not eligible for the bilateral payment adjustment. Either the procedure cannot be performed bilaterally due to the anatomical constraints or another code more adequately describes the procedure.
1	Eligible for bilateral payment adjustment and should be reported on one line with modifier 50 and “1” in the units box.

	<p>Provider performing the same bilateral procedure during the same operative setting multiple times shall report the second and subsequent procedures with modifiers 50 and 59. Report on one line with one unit for each bilateral procedure performed. The maximum fee is increased to 150% of the fee schedule value.</p> <p>If provider performs bilateral procedures during the same setting, payer shall apply the bilateral payment adjustment rule first, and then apply other applicable payment adjustments (e.g., multiple surgery).</p>
2	Not eligible for the bilateral payment adjustment. These procedure codes are already bilateral.
3	<p>Not eligible for the bilateral payment adjustment. Report these codes on two lines with RT and LT modifiers. There is one payment per line.</p> <p>Indicator 3 codes are primarily diagnostic radiology and other diagnostic medicine procedures.</p>
9	Not eligible for the bilateral payment adjustment because the concept does not apply.

(q) Assistant Surgeon, Modifiers 80, 81, 82, or AS

The designation of “almost always” for a surgical code in the Physicians as Assistants at Surgery: 2018 Update (February 2018), published by the American College of Surgeons shall indicate that separate payment for an assistant surgeon is allowed for that code. If that publication does not make a recommendation on a surgical code or lists it as “sometimes” or “almost never,” then RBRVS indicators shall determine whether separate payment for assistant surgeons is allowed:

Indicator	Meaning
0	Documentation of medical necessity and prior authorization is required to allow an assistant at surgery.
1	No assistant at surgery is allowed.
2	Assistant at surgery is allowed.

No separate assistant surgeon or minimum assistant fees shall be paid if a co-surgeon is paid for the same operative procedure during the same surgical episode. See section 18-4(D)(1) for additional payment policies.

(r) Co-Surgeons, Modifier 62

Indicator	Meaning
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1 or 2	<p>Indicators may require two primary surgeons performing two distinct portions of a procedure. Modifier 62 is used with the procedure and maximum fee value is increased to 125% of the fee schedule value.</p> <p>The payment is apportioned to each surgeon in relation to his or her individual responsibilities and work, or it is apportioned equally between the co-surgeons.</p>
0 or 9	<p>Not eligible for co-surgery fee allowance adjustment.</p> <p>These procedures are either straightforward or only one surgeon is required or the concept does not apply.</p>

(s) Team Surgeons, Modifier 66

Indicator	Meaning
0	Team surgery adjustments are not allowed.
1	Prior authorization is required for team surgery adjustments.
2	Team surgery adjustments may occur as a "BR." Each team surgeon must bill modifier 66. Payer must adjust the values in consultation with the billing surgeon(s).
9	Concept does not apply.

(t) Endoscopy base codes are not recognized for payment adjustments except when other modifiers apply.

(u) All other fields are not recognized.

(B) EVALUATION AND MANAGEMENT (E&M)

(1) Evaluation and management codes may be billed by physician providers as defined in Rule 16, nurse practitioners (NP), and physician assistants (PA). To justify the billed level of E&M service, medical record documentation shall utilize the 2019 CPT® E&M Services Guidelines and either the "E&M Documentation Guidelines" criteria adopted in Exhibit #7, or Medicare's 1997 Evaluation and Management Documentation Guidelines.

(2) New or Established Patients

An E&M visit shall be billed as a "new" patient service for each new injury or new Colorado workers' compensation claim even if the provider has seen the injured worker within the last three (3) years.

Any subsequent E&M visits for the same injury billed by the same provider or another provider of the same specialty or subspecialty in the same group practice shall be reported as an "established patient" visit.

Transfer of care from one physician to another with the same tax ID and specialty or subspecialty shall be billed as an “established patient” regardless of location.

(3) Number of Office Visits

All providers are limited to one (1) office visit per patient, per day, per workers’ compensation claim, unless prior authorization is obtained.

(4) Treating Physician Telephone or On-line Services:

Telephone or on-line services may be billed if the medical records/documentation specifies all the following:

- (a) The amount of time and date;
- (b) The patient, family member, or healthcare provider talked to; and
- (c) Specific discussion and/or decision made during the communication.

Telephone or on-line services may be billed even if performed within the one day and seven day timelines listed in CPT®.

(5) Face-to-Face or Telephonic Treating Physician or Qualified Non-physician Medical Team Conferences

A medical team conference can only be billed if all CPT® criteria are met. A medical team conference shall consist of medical professionals caring for the injured worker. The billing statement shall be prepared pursuant to Rule 16.

(6) Consultation/Referrals/Transfers of Care/Independent Medical Examinations

A consultation occurs when a treating physician seeks an opinion from another physician regarding a patient’s diagnosis and/or treatment.

A transfer of care occurs when one physician turns over the responsibility for the comprehensive care of a patient to another physician.

An independent medical exam (IME) occurs when a physician is requested to evaluate a patient by any party or party’s representative and is billed in accordance with section 18-7(G).

To bill for any inpatient or outpatient consultation codes, the provider must document the following:

- (a) Identity of the requesting physician for the opinion.
- (b) The need for a consultant’s opinion.
- (c) Statement that the report was submitted to the requesting provider.

Subsequent Hospital modified RVUs are:

CPT® 99231 = 2.21 RVUs
CPT® 99232 = 3.15 RVUs
CPT® 99233 = 4.22 RVUs

Consultation modified RVUs are:

CPT® 99241, non-facility RVU is 2.57, facility RVU is 2.15
CPT® 99242, non-facility RVU is 3.77, facility RVU is 3.18
CPT® 99243, non-facility RVU is 4.71, facility RVU is 3.96
CPT® 99244, non-facility RVU is 6.39, facility RVU is 5.57
CPT® 99245, non-facility RVU is 8.15, facility RVU is 7.23
CPT® 99251 = 2.79 RVUs
CPT® 99252 = 3.83 RVUs
CPT® 99253 = 4.95 RVUs
CPT® 99254 = 6.39 RVUs
CPT® 99255 = 8.47 RVUs

(7) Prolonged Services:

Providers shall document the medical necessity of prolonged services utilizing patient-specific information. Providers shall comply with all applicable CPT® requirements and the following additional requirements.

- (a) Physicians or other qualified health care professionals (MDs, DOs, DCs, DMPs, NPs, and PAs) with or without direct patient contact.
 - (i) An E&M code shall accompany prolonged services codes.
 - (ii) The provider must exceed the average times listed in the E&M section of CPT® by 30 minutes or more, in addition to the prolonged services codes.
 - (iii) If using time spent (rather than three key components) to justify the level of primary E&M service, the provider must bill the highest level of service available in the applicable E&M subcategory before billing for prolonged services.
 - (iv) The provider billing for extensive record review shall document the names of providers and dates of service reviewed, as well as briefly summarize each record reviewed.
- (b) Prolonged clinical staff services (RNs or LPNs) with physician or other qualified health care professional supervision:
 - (i) The supervising physician or other qualified health care professional may not bill for the time spent supervising clinical staff.
 - (ii) Clinical staff services cannot be provided in an urgent care or emergency department setting.

(C) ANESTHESIA

- (1) All anesthesia base values are set forth in Medicare's 2019 Anesthesia Base Values. Anesthesia services are only reimbursable if the anesthesia is administered by a physician, a Certified Registered Nurse Anesthetist (CRNA), or an anesthesiologist assistant (AA) who remains in constant attendance during the procedure for the sole purpose of rendering anesthesia.

When a CRNA or AA administers anesthesia:

- (a) CRNAs not under the medical direction of an anesthesiologist shall be reimbursed 90% of the maximum anesthesia value;
- (b) If billed separately, CRNAs and AAs, under the medical direction of an anesthesiologist, shall be reimbursed 50% of the maximum anesthesia value. The other 50% is payable to the anesthesiologist providing the medical direction to the CRNA or AA;
- (c) Medical direction for administering anesthesia includes the following:
 - (i) performs a pre-anesthesia examination and evaluation,
 - (ii) prescribes the anesthesia plan,
 - (iii) personally participates in the most demanding procedures in the anesthesia plan including induction and emergence,
 - (iv) ensures that any procedure in the anesthesia plan that s/he does not perform is performed by a qualified anesthetist,
 - (v) monitors anesthesia administration at frequent intervals,
 - (vi) remains physically present and available for immediate diagnosis and treatment of emergencies, and
 - (vii) provides indicated post-anesthesia care.
- (2) The supervision of AAs shall be in accordance with the Medical Practice Act.
- (3) HCPCS Level II modifiers are required when billing for anesthesia services. Modifier AD shall be used when an anesthesiologist supervises more than four (4) concurrent (occurring at the same time) anesthesia service cases. Maximum allowance for supervising multiple cases is calculated using three (3) base anesthesia units for each case, regardless of the number of base anesthesia units assigned to each specific anesthesia episode of care.
- (4) Physical status modifiers are reimbursed as follows, using the anesthesia CF:

(a)	P-1	Healthy patient	0 RVUs
(b)	P-2	Patient with mild systemic disease	0 RVUs
(c)	P-3	Patient with severe systemic disease	1 RVU
(d)	P-4	Patient with severe systemic disease that is a constant threat to life	2 RVUs
(e)	P-5	A moribund patient who is not expected to survive without the operation	3 RVUs
(f)	P-6	A declared brain-dead patient	0 RVUs
- (5) Qualifying circumstance codes are reimbursed using the anesthesia CF:
 - (a) Anesthesia complicated by extreme age (under 1 or over 70 years) 1 RVU
 - (b) Anesthesia complicated by utilization of total body hypothermia 5 RVUs

- (c) Anesthesia complicated by utilization of controlled hypotension 5 RVUs
- (d) Anesthesia complicated by emergency conditions (specify) 2 RVUs
- (6) Multiple procedures are billed in accordance with CPT®. When more than one surgical procedure is performed during a single episode, only the highest-valued base anesthesia procedure value is billed with the total anesthesia time for all procedures.
- (7) Total minutes are reported for reimbursement. Each 15-minutes of anesthesia time equals 1 additional RVU. Five minutes or more is considered significant time and adds 1 RVU to the payment calculation.
- (8) Calculation of Maximum Fees for Anesthesia

Base Anesthesia value from the Medicare's 2019 Anesthesia Base Values

$$\begin{aligned}
 &+1 \text{ Unit/15 minutes of anesthesia time} \\
 &+ \text{Any physical status modifier units} \\
 &\text{Total Relative Value Anesthesia Units} \\
 &\text{Multiplied by the Anesthesia CF in section 18-4(A)(1)} \\
 &\text{Total Maximum Anesthesia Fees}
 \end{aligned}$$

- (9) Non-time based anesthesia procedures shall be billed with modifier 47.

(D) SURGERY

(1) Assistant Surgeons Payment Policies and Modifiers:

- (a) The use of assistant surgeons shall be limited according to the American College Of Surgeons' Physicians as Assistants at Surgery: 2018 Update (February 2018), available from the American College of Surgeons, Chicago, IL, or from its web page. The incorporation is limited to the edition named and does not include later revisions or additions.

Provider shall document the medical necessity for any assistant surgeon in the operative report.

- (b) Payment for more than one (1) assistant surgeon or minimum assistant surgeon requires prior authorization.
- (c) Maximum allowance for an assistant surgeon reported by a physician, as indicated by modifier 80 or 82 is 20% of the surgeon's fees.
- (d) Maximum allowance for a minimum assistant surgeon, reported by a non-physician, as indicated by modifiers AS and 81, is 10% of the surgeon's fees (the 85% adjustment in section 18-4(A)(2)(b) does not apply).
- (e) The services performed by registered surgical technologists are bundled fees and are not separately payable.
- (f) See section 18-4(A)(3)(q) for additional payment policies applicable to assistant surgeons.

(2) Global Package

(a) All surgical procedures include the following:

- (i) local infiltration, metacarpal/metatarsal/digital block, or typical anesthesia;
- (ii) one related E&M encounter on the date immediately prior to or on the date of the procedure (including history and physical);
- (iii) intra-operative services that are normally a usual and necessary part of a surgical procedure;
- (iv) immediate post-operative care, including dictating operative notes, talking with the family and other physicians;
- (v) evaluating the patient in the post-anesthesia recovery room;
- (vi) post-surgical pain management by the surgeon;
- (vii) typical post-operative follow-up care during the global period of the surgery that is related to recovery, see section 18-4(A)(3)(k).
- (viii) supplies integral to an operative procedure. See section 18-6(A) to determine reimbursement for unrelated supplies or Durable Medical Equipment, Orthotics or Prosthetics (DMEPOS).

Casting supplies are separately payable only if related fracture or surgical care code is not billed. The HCPCS Level II "Q" code(s) are used for reporting any associated DMEPOS fees.

- (ix) pre or post-operative services integral to the operative procedure and performed within the global follow-up period are not separately payable. These services include, but are not limited to the following:
 - dressing changes;
 - local incisional care;
 - removal of operative pack;
 - removal of cutaneous sutures and staples, lines, wires, tubes, or drains;
 - initial application of casts and splints;
 - insertion, irrigation, and removal of urinary catheters;
 - routine peripheral IV lines;
 - nasogastric and rectal tubes;
 - changes and removal of tracheostomy tubes;
 - post-surgical pain management by the surgeon;
 - all complications leading to additional procedures performed by the surgeon, but not requiring an operating room. Complications requiring an operating room are separately payable with modifier 78.

(b) Modifiers:

Code	Payment policy
22	The payer and provider shall negotiate the value based on the fee schedule and the amount of additional work.
54	Surgical care only. This modifier can be combined with either modifier 55 or 56, but not both. Maximum fee is the applicable percentage in the “intra-op %” RBRVS column multiplied by the fee schedule value.
55	Post-operative management only. This modifier can be combined with either modifier 54 or 56, but not both. Maximum fee is the applicable percentage in the “post-op %” RBRVS column multiplied by the fee schedule value.
56	Pre-operative management only. This modifier can be combined with either modifier 54 or 55, but not both. Maximum fee is the applicable percentage in the “pre-op %” RBRVS column multiplied by the fee schedule value.
58	Maximum fee value is 100% of prospective procedures that occur on the same day or staged over a couple of days.
62	Co-Surgeon use when different surgical skills are necessary to perform a surgical procedure.
78	Maximum fees for this unplanned return to the operating room is the intra-operative value of the procedure(s) performed only and the original post-operative global days continue from the initial surgical procedure(s).

(c) Significant and separately identifiable services performed during the global period are separately payable. The services involve unusual circumstances, complications, exacerbations, or recurrences; and/or unrelated diseases or injuries.

Modifiers 24, 25, and 57 shall be used to over-ride the global package edits/limits:

Modifier	Payment and billing policies	Applicability/Documentation
24	E&M services unrelated to the primary surgical procedure. The reasonableness and necessity for an E&M service that is separate and identifiable from the surgical global period shall be	Services necessary to stabilize the patient for the primary surgical procedure. Services not considered part of the surgical procedure, including an E&M visit by an authorized

	<p>documented in the medical record.</p> <p>If possible, an appropriate identifying diagnosis code shall identify the E&M service as unrelated to the surgical global period.</p> <p>Disability management of an injured worker for the same diagnosis requires the physician to identify the specific disability management detail performed during that visit.</p>	<p>treating physician for disability management.</p> <p>The definitions of disability counseling are located in Exhibit #7.</p>
25	Initial or follow up visit that occurred on the same day/encounter as a minor surgical procedure.	E&M documentation must support the patient's condition. The visit must be significant and separately identifiable from the minor surgical procedure and the usual pre- and post-operative care required.
57	The surgeon's E&M visit that resulted in the decision for major surgery performed on either the same day or the day after the visit.	The E&M documentation must identify the medical necessity of the procedure and the discussion with the patient.

(3) General Surgical Payment Policies:

- (a) Exploration of a surgical site is not separately payable except in cases of a traumatic wound or an exploration performed in a separate anatomic location.
- (b) A diagnostic arthroscopy that resulted in a surgical arthroscopy at the same surgical encounter is bundled into the surgical arthroscopy and is not separately payable.
- (c) An arthroscopy performed as a "scout" procedure to assess the surgical field or extent of disease is bundled into the surgical procedure performed on the same body part during the same surgical encounter and is not separately payable.
- (d) An arthroscopy converted to an open procedure is bundled into the open procedure and is not separately payable. In this circumstance, providers shall not report either a surgical arthroscopy or a diagnostic arthroscopy code.
- (e) Only the joints/compartments listed in subsections (4) through (6) below are recognized for separate payment purposes.
- (f) Providers shall report only one removal code for removal of implants through the same incision, same anatomical site, or a single implant system during the same episode of care.

- (4) Knee Arthroscopies
 - (a) Medial, lateral, and patella are the knee compartments recognized for purposes of separate payment of debridement and synovectomies.
 - (b) Chondroplasty is separately payable with another knee arthroscopy only if performed in a different knee compartment or to remove a loose/foreign body during a meniscectomy.
 - (c) Limited synovectomy involving one knee compartment is not separately payable with another arthroscopic procedure on the same knee.
 - (d) Payment for a major synovectomy procedure shall require a synovial diagnosis and two or more knee compartments without any other arthroscopic surgical procedures performed in the same compartment.

- (5) Shoulder Arthroscopies
 - (a) Glenohumeral, acromioclavicular, and subacromial bursal space are the shoulder regions recognized for purposes of separate payment.
 - (b) Limited debridement performed with a shoulder arthroscopy is bundled into the arthroscopy and is not separately payable unless subsection (c) applies.
 - (c) Limited debridement performed in the glenohumeral region is separately payable if it is the only procedure performed in that region in the surgical encounter.
 - (d) Extensive debridement (debridement that takes place in more than one location or region) is separately payable if documented in the medical record.

- (6) Spine and Nervous System
 - (a) Spinal manipulation is integral to spinal surgical procedures and is not separately payable.
 - (b) Surgeon performing a spinal procedure shall not report intra-operative neurophysiology monitoring/testing codes.
 - (c) If multiple procedures from the same CPT® code family are performed at contiguous vertebral levels, provider shall append modifier 51 to all lesser-valued primary codes. See sections 18-5(B)(6)(a) and 18-4(A)(3)(o) for applicable payment policies.
 - (d) Fluoroscopy is separately payable with spinal procedures only if indicated by a specific CPT® instruction.
 - (e) Lumbar laminotomies and laminectomies performed with arthrodesis at the same interspace are separately payable if the surgeon identifies the additional work performed to decompress the thecal sac and/or spinal nerve(s). If these procedures are performed at the same level, provider shall append modifier 51 to the lesser-valued procedure(s). If procedures are performed at different interspaces, provider shall append modifier 59 to the lesser-valued procedure(s). See sections 18-5(B)(6)(a) and 18-4(A)(3)(o) for applicable payment policies.
 - (f) Only one anterior or posterior instrumentation performed through a single skin incision is payable.
 - (g) Anterior instrumentation performed to anchor an inter-body biomechanical device to the intervertebral disc space is not separately payable.
 - (h) Anterior instrumentation unrelated to anchoring the device is separately payable with modifier 59 appended.

- (7) Venipuncture maximum fee allowance is covered under Exhibit #8.

(8) Platelet Rich Plasma (PRP) Injections

Codes and professional fees:

DoWC Z0813 Office setting \$758.88

CPT® 0232T Facility setting \$274.50

The above allowances include and apply to all body parts, imaging guidance, harvesting, preparation, the injection itself, kits, and supplies.

(E) RADIOLOGY

(1) General Policies

(a) Payers and providers shall use professional component (26) or technical component (TC) modifiers per CPT® guidelines. The technical component represents the cost of equipment, supplies and personnel necessary to perform the procedure.

(b) A stand-alone procedure code describes the selected diagnostic tests for which there are associated codes that describe (a) the professional component of a test only, (b) the technical component of a test only and (c) the global test only. Modifiers 26 and TC cannot be billed with these codes.

(2) Payments

(a) The Division recognizes the value of accreditation for quality and safe radiological imaging. Only offices/facilities that have attained accreditation from American College of Radiology (ACR), Intersocietal Accreditation Commission (IAC), RadSite, or The Joint Commission (TJC) may bill the technical component for Advanced Diagnostic Imaging (ADI) procedures (magnetic resonance imaging (MRI), computed tomography (CT), and nuclear medicine scan). Providers reporting technical or total component of these services certify accreditation status. The provider shall supply proof of accreditation upon payer request.

(b) The cost of dyes and contrast shall be reimbursed in accordance with section 18-6(A).

(c) Copying charges for X-rays and MRIs shall be \$15.00/film regardless of the size of the film.

(d) The payer may use available billing information such as provider credential(s) and clinical record(s) to determine if appropriate CPT®/RBRVS modifier should have been used on the bill. To modify a billed code, refer to Rule 16.

(e) Providers using film instead of digital X-rays shall append the FX modifier. The fee is 80% of the Maximum Fee Schedule.

If a physician interprets the same radiological image more than once, or if multiple physicians interpret the same radiological image, only one (1) interpretation shall be reimbursed.

If an X-ray consultation is requested, the consultant's report shall include the name of the requesting provider, the reason for the request, and documentation that the report was sent to the requesting provider.

The maximum fee for an X-ray consultation shall be no greater than the maximum fee for the professional component of the original X-ray.

The time a physician spends reviewing and/or interpreting an existing radiological image is considered a part of the physician's E&M service code.

(3) Thermography

(a) The provider supervising and interpreting the thermographic evaluation shall be board certified by the examining board of one (1) of the following national organizations and follow their recognized protocols, or have equivalent documented training:

- (i) American Academy of Thermology,
- (ii) American Chiropractic College of Infrared Imaging, or
- (iii) American Academy of Infrared Imaging

(b) Thermography Billing Codes:

DoWC Z0200 Upper body w/ Autonomic Stress Testing	\$980.00
DoWC Z0201 Lower body w/Autonomic Stress Testing	\$980.00

(c) The bill shall include a report that supplies the thermographic evaluation and complies with this section.

(4) Urea breath test C-14 (isotopic), acquisition for analysis, and the analysis maximum fees are listed under Exhibit #8.

(F) PATHOLOGY

(1) General Policies

(a) Providers and payers shall use professional component (PC) or technical component (TC) modifiers per CPT® guidelines. The technical component represents the cost of equipment, supplies and personnel necessary to perform the procedure.

(b) A stand-alone procedure code describes the selected diagnostic tests for which there are associated codes that describe (a) the professional component of a test only, (b) the technical component of a test only, and (c) the global test only. Modifiers 26 and TC cannot be billed with these codes.

(2) Clinical Laboratory Improvement Amendments (CLIA)

Laboratories with a CLIA certificate of waiver may perform only those tests cleared by the Food and Drug Administration (FDA) as waived tests. Laboratories with a CLIA certificate of waiver, or other providers billing for services performed by these laboratories, shall bill using the QW modifier.

Laboratories with a CLIA certificate of compliance or accreditation may perform non-waived tests. Laboratories with a CLIA certificate of compliance or accreditation, or other providers billing for services performed by these laboratories, do not append the QW modifier to claim lines.

(3) Payments

All clinical pathology laboratory tests, except as allowed by this Rule, are reimbursed at the total component value listed under Exhibit #8 or billed charges, whichever is less. Technical or professional component maximum split is not separately payable. However, the billing parties may agree how to split the total maximum fees listed in Exhibit #8.

When a physician clinical pathologist is required for consultation and interpretation, and a separate written report is created, the maximum fee is determined by using RBRVS values and the Pathology CF. The Pathology CF determines the Maximum Fee Schedule value when the Pathology CPT® code description includes “interpretation” and “report” or when billing CPT® codes for the following services:

- (a) physician blood bank services,
- (b) cytopathology and cell marker study interpretations,
- (c) cytogenics or molecular cytogenics interpretation and report,
- (d) surgical pathology gross and microscopic and special stain groups 1 and 2 and histochemical stain, blood or bone marrow interpretations, and
- (e) skin tests for unlisted antigen each, coccidioidomycosis, histoplasmosis, TB intradermal.

When ordering automated laboratory tests, the ordering physician may seek verbal consultation with the pathologist in charge of the laboratory’s policy, procedures and staff qualifications. The consultation with the ordering physician is not payable unless the physician requested additional medical interpretation, judgment, and a separate written report. Upon such a request, the pathologist may bill using the proper CPT® code and RBRVS values, not DoWC Z0755.

(4) Clinical Drug Screening/Testing Codes and Values:

- (a) Clinical drug screening/testing evaluates whether:
 - (i) prescribed medications are at or below therapeutic or toxic levels (therapeutic drug monitoring); or
 - (ii) the patient is taking prescribed controlled substance medications; or
 - (iii) the patient is taking any illicit or non-prescribed drugs.
- (b) Billing requirements for clinical drug testing:

- (i) the ordering physician shall document the medical necessity of the clinical drug test.
- (ii) the ordering physician shall specify which drugs require definitive testing to meet the patient's medical needs.
- (iii) quantification of illicit or non-prescribed drugs or drug classes requires a physician order.
- (iv) Medicare codes used in the 2019 Medicare Fee Schedule shall be billed for presumptive and definitive urine drug tests.
- (v) all recognized codes and maximum fee values are listed in Exhibit #8.

(c) Presumptive Tests

All drug class immunoassays or enzymatic methods are considered presumptive. Payers shall only pay for one presumptive test per date of service, regardless of the number of drug classes tested.

(d) Definitive qualitative or quantitative tests identify specific drug(s) and any associated metabolites, providing sensitive and specific results expressed as a concentration in ng/mL or as the identity of a specific drug.

- These tests may be billed using G0480-G0483.
- Providers may only bill one definitive HCPCS Level II code per day.

A physician must order definitive quantitative tests. The reasons for ordering a definitive quantification drug test may include:

- Unexpected positive presumptive or qualitative test results inadequately explained by the injured worker.
- Unexpected negative presumptive or qualitative test results and suspected medication diversion.
- Differentiate drug compliance:
 - Buprenorphine vs. norbuprenorphine
 - Oxycodone vs. oxymorphone and noroxycodone
- Need for quantitative levels to compare with established benchmarks for clinical decision-making, such as tetrahydrocannabinol quantitation to document discontinuation of a drug.
- Chronic opioid management:
 - Drug testing shall be done prior to the implementation of the initial long-term drug prescription and randomly repeated at least annually.
 - While the injured worker receives chronic opioid management, additional drug screens with documented justification may be conducted (see section 18-9(A) for examples).
- CPT® may be consulted for a definitive drug classes listing and examples of individual drugs within each class. Each class of drug can only be billed once per day.

(G) MEDICINE

- (1) See section 18-6(B) for medicine home care services.

(2) Biofeedback

Licensed medical and mental health professionals who provide biofeedback must practice within the scope of their training. Non-licensed biofeedback providers must hold Clinical Certification from the Biofeedback Certification International Alliance (BCIA), practice within the scope of their training, and receive prior approval of their biofeedback treatment plan from the patient's authorized treating physician, psychologist, or psychiatrist. Professionals integrating biofeedback with any form of psychotherapy must be licensed as a psychologist, a social worker, a marriage or a family therapist, or a licensed professional counselor.

Biofeedback treatment must be provided in conjunction with other psychosocial or medical interventions.

All biofeedback providers shall document biofeedback instruments used during each visit (including, but not limited to, surface electromyography (SEMG), heart rate variability (HRV), electroencephalogram (EEG), or temperature training), placement of instruments, and patient response, if sufficient time has passed.

The modified RVUs for biofeedback services are:

CPT® 90901, non-facility RVU is 2.14, facility RVU is 1.14

CPT® 90911, non-facility RVU is 4.76, facility RVU is 2.48

- (3) Appendix J of 2019 CPT® identifies mixed, motor, and sensory nerve conduction studies and applicable billing requirements. Electromyography (EMG) and nerve conduction velocity values generally include an evaluation and management (E&M) service. However, an E&M service may be separately payable if the requirements listed in Appendix A of 2019 CPT® for billing modifier 25 have been met.

(4) Manipulation -- Chiropractic (DC), Medical (MD) and Osteopathic (DO):

(a) Prior authorization shall be obtained before billing for more than four body regions in one (1) visit. The provider's medical records shall reflect medical necessity and prior authorization if treatment exceeds these limitations.

(b) Osteopathic Manipulative Treatment and Chiropractic Manipulative Treatment codes include manual therapy techniques, unless provider performs manual therapy in a separate region and meets modifier 59 requirements.

(c) An office visit may be billed on the same day as manipulation codes when the documentation meets the E&M requirements and an appropriate modifier is used.

(d) The modified RVUs for chiropractic spinal manipulative treatment are:

CPT® 98940 Non-facility RVU is 1.0, facility RVU is 0.79

CPT® 98941 Non-facility RVU is 1.44, facility RVU is 1.22

(5) Psychiatric/Psychological Services:

- (a) A licensed psychologist (PsyD, PhD, EdD) is reimbursed a maximum of 100% of the Medical Fee Schedule. Other non-physician providers performing psychological/psychiatric services shall be paid at 85% of the fee allowed for physicians.
- (b) Psychological diagnostic evaluation code(s) are limited to one per provider, per admitted claim, unless it is authorized by the payer or is necessary to complete an impairment rating recommendation as determined by the ATP.
- (c) Central Nervous System (CNS) Assessments/Tests, (neuro-cognitive, mental status, speech) requiring more than six (6) hours require prior authorization.

When testing, evaluation, administration, and scoring services are provided across multiple dates of service, all codes should be billed together on the last date of service when the evaluation process is completed. A base code shall be billed only for the first unit of service of the evaluation process, and add-on codes shall be used to capture services provided during subsequent dates of service.

Documentation shall include the total time and the approximate time spent on each of the following activities, when performed:

- face to face time with the patient
- reviewing and interpreting standardized test results and clinical data
- integrating patient data
- clinical decision-making and treatment planning
- report preparation

If there is a delay in scheduling the feedback session, the provider may incorporate feedback into the first psychotherapy session.

The modified RVUs for psychological and neuropsychological services are:

CPT® 96116 = non-facility RVU is 3.4, facility RVU is 2.98
 CPT® 96127 = non-facility and facility RVUs are 0.18
 CPT® 96130 = non-facility RVU is 3.63, facility RVU is 3.4
 CPT® 96131 = non-facility RVU is 2.92, facility RVU is 2.73
 CPT® 96132 = non-facility RVU is 4.11, facility RVU is 3.2
 CPT® 96133 = non-facility RVU is 3.11, facility RVU is 2.44
 CPT® 96146 = non-facility and facility RVUs are 0.10
 CPT® 90791 = non-facility RVU is 9.91, facility RVU is 9.6
 CPT® 90792 = non-facility RVU is 11.12, facility RVU is 10.8
 CPT® 96150 = non-facility RVU is 0.80, facility RVU is 0.79
 CPT® 96151 = non-facility RVU is 0.78, facility RVU is 0.77
 CPT® 96152 = non-facility RVU is 0.74, facility RVU is 0.73
 CPT® 96153 = non-facility RVU is 0.18, facility RVU is 0.17
 CPT® 96154 = non-facility RVU is 0.74, facility RVU is 0.73
 CPT® 96155 = non-facility and facility RVUs are 0.73

- (d) The limit for psychotherapy services is 60 minutes per visit, unless provider obtains prior authorization. The time for internal record review/documentation is included in this limit.

Psychotherapy for work-related conditions continuing for more than three (3) months after the initiation of therapy requires prior authorization unless the Medical Treatment Guidelines recommend a longer duration.

- (e) When billing an evaluation and management (E&M) code in addition to psychotherapy:
 - (i) both services must be separately identifiable;
 - (ii) the level of E&M is based on history, exam and medical decision-making;
 - (iii) time may not be used as the basis for the E&M code selection; and
 - (iv) add-on psychotherapy codes are to be used by psychiatrists to indicate both services were provided.

Non-medical disciplines cannot bill most E&M codes.

- (f) Any stored clinical or physiological data analysis is not recognized unless the provider shows the reasonableness and necessity of these services and obtains prior authorization from the payer.
- (g) Upon request of a party to a workers' compensation claim and pursuant to HIPAA regulations, a psychiatrist, psychologist or other qualified health care professional may generate a separate report and bill for that service as a special report.

(6) Qualified Non-Physician Provider Telephone or On-Line Services

Reimbursement to qualified non-physician providers for coordination of care with medical professionals shall be based upon the telephone codes for qualified non-physician providers found in the RBRVS Medicine Section. Coordination of care reimbursement is limited to telephone calls made to professionals outside of the non-physician provider's facility(ies) and to the injured worker or his or her family.

For reimbursement of face-to face or telephonic meetings by a treating physician with employer, claim representative, or attorney, see section 18-7(A)(1).

(7) Quantitative Autonomic Testing Battery (ATB) and Autonomic Nervous System Testing.

- (a) Quantitative Sudomotor Axon Reflex Test (QSART) is a diagnostic test used to diagnose Complex Regional Pain Syndrome. This test is performed on a minimum of two (2) extremities and encompasses the following components:
 - (i) Resting Sweat Test;
 - (ii) Stimulated Sweat Test;
 - (iii) Resting Skin Temperature Test; and

- (iv) Interpretation of clinical laboratory scores. Physician must evaluate the patient specific clinical information generated from the test and quantify it into a numerical scale. The data from the test and a separate report interpreting the results of the test must be documented.
 - (b) DoWC Z0401 QSART, \$1,066.00, is billed when all of the services outlined above are completed and documented. This code may only be billed once per workers' compensation claim, regardless of the number of limbs tested.
- (8) Intra-Operative Monitoring (IOM)

IOM is used to identify compromise to the nervous system during certain surgical procedures. Evoked responses are constantly monitored for changes that could imply damage to the nervous system.

(a) Clinical Services for IOM: Technical and Professional

- (i) Technical staff: A qualified specifically trained technician shall set up the monitoring equipment in the operating room and is expected to be in constant attendance in the operating room with the physical or electronic capacity for real-time communication with the supervising neurologist or other physician trained in neurophysiology. The technician shall be specifically trained in/registered with:

- the American Society of Neurophysiologic Monitoring; or
- the American Society of Electrodiagnostic Technologists

- (ii) Professional/Supervisory /Interpretive

A Colorado-licensed physician trained in neurophysiology shall monitor the patient's nervous system throughout the surgical procedure. The monitoring physician's time is billed based upon the actual time the physician devotes to the individual patient, even if the monitoring physician is monitoring more than one patient. The monitoring physician's time does not have to be continuous for each patient and may be cumulative. The monitoring physician shall not monitor more than three (3) surgical patients at one time. The monitoring physician shall provide constant neuromonitoring at critical points during the surgical procedure as indicated by the surgeon or any unanticipated testing responses. There must be a neurophysiology-trained Colorado licensed physician backup available to continue monitoring the other two patients if one of the patients being monitored has complications and/or requires the monitoring physician's undivided attention for any reason. There is no additional payment for the back-up neuromonitoring physician, unless he/she is utilized in a specific case.

- (iii) Technical Electronic Capacity for Real-Time Communication Requirements

The electronic communication equipment shall use a 16-channel monitoring and minimum real-time auditory system, with the possible addition of video connectivity between monitoring staff, operating surgeon and anesthesia. The equipment must also provide for all of

the monitoring modalities that may be applied with the IOM procedure code.

(b) Procedures and Time Reporting

Physicians shall include an interpretive written report for all primary billed procedures.

(c) Billing Restrictions

Intra-operative neurophysiology codes do not have separate professional and technical components. However, certain tests performed in conjunction with these services throughout the surgical procedure have separate professional and technical components, which may be separately payable if documented and otherwise allowed in this Rule.

The monitoring physician is the only party allowed to report these codes.

The fee schedule value for CPT® 95941 is equal to the fee schedule value for CPT® 95940.

(9) Speech-language therapist/pathology or any care rendered under a speech-language therapist/pathology plan of care shall be billed with a GN modifier appended to all billing codes.

(10) Vaccine and toxoids shall be billed using the appropriate J code or CPT® code listed in the Medicare Part B Drug Average Sale Price (ASP), unless the ASP value does not exist for the drug or the provider's actual cost exceeds the ASP. In these circumstances, the provider may request reimbursement based on the actual cost, after taking into account any discounts/rebates the provider may have received.

(11) IV Infusions Performed in Physicians' Offices or Sent Home with Patient

IV infusion therapy performed in a physician's office shall be billed under the "Therapeutic, Prophylactic, and Diagnostic Injections and Infusions" and the "Chemotherapy and Other Highly Complex Drug or Highly Complex Biologic Agent Administration" in the Medicine Section of CPT®. The infused therapeutic drugs are payable at cost to the provider's office.

Maximum fees for supplies and medications provided by a physician's office for self-administered home care infusion therapy are covered in section 18-6(B)(1).

(12) Moderate (Conscious) Sedation

Providers billing for moderate sedation services shall comply with all applicable 2019 CPT® billing instructions. The Maximum Fee Schedule value is determined using the Medicine CF.

(H) PHYSICAL MEDICINE AND REHABILITATION (PM&R)

(1) General Policies:

(a) Physical therapy or any care provided under a physical therapist's plan of care shall be billed with a GP modifier appended to all codes. Occupational

therapy or any care provided under an occupational therapist's plan of care shall be billed with a GO modifier appended to all codes.

- (b) Each PM&R billed service must be clearly identifiable. The provider must clearly document the time spent performing each service and the beginning and end time for each session.
 - (c) Functional objectives shall be included in the PM&R plan of care for all injured workers. Any request for additional treatment must be supported by evidence of positive objective functional gains or PM&R treatment plan changes. The ordering ATP must also agree with the PM&R continuation or changes to the treatment plan.
 - (d) The injured worker shall be re-evaluated by the prescribing provider within 30 calendar days from the initiation of the prescribed treatment and at least once every month thereafter.
 - (e) Unlisted services require a report.
- (2) Medical nutrition therapy requires prior authorization.
 - (3) Interdisciplinary Rehabilitation Programs – require prior authorization to determine fees.

An interdisciplinary rehabilitation program is one that provides focused, coordinated, and goal-oriented services using a team of professionals from varying disciplines to deliver care. These programs can benefit persons who have limitations that interfere with their physical, psychological, social, and/or vocational functioning. As defined in the Medical Treatment Guidelines, interdisciplinary rehabilitation programs may include, but are not limited to: chronic pain, spinal cord, or brain injury programs.

All billing providers shall detail the services, frequency of services, duration of the program, and their proposed fees for the entire program and all professionals. The billing provider and payer shall attempt to agree upon billing code(s) and fee(s) for each interdisciplinary rehabilitation program.

If there is a single billing provider for the entire interdisciplinary rehabilitation program and a daily per diem rate is mutually agreed upon, use code Z0500.

If the individual interdisciplinary rehabilitation professionals bill separately for their participation in an interdisciplinary rehabilitation program, the applicable CPT® codes shall be used to bill for their services.

- (4) Procedures (therapeutic exercises, neuromuscular re-education, aquatic therapy, gait training, massage, acupuncture, dry needling of trigger points, manual therapy techniques, therapeutic activities, cognitive development, sensory integrative techniques and any unlisted physical medicine procedures.)

The maximum amount of time allowed is one (1) hour of procedures per day per discipline unless medical necessity is documented and prior authorization is obtained from the payer. The total amount of billed unit time cannot exceed the total time spent performing the procedures.

For Dry Needling of Trigger Points, single or multiple needles, use DoWC Z0501 or Z0502:

DoWC Z0501, initial 15 minutes, non-facility RVU is 1.3, facility RVU is 0.77

DoWC Z0502, each additional 15 minutes, non-facility RVU is 0.77, facility RVU is 0.72

The modified RVU for an unlisted procedure, CPT® 97139, is 0.92, non-facility and facility.

(5) Modalities

There is a total limit of two (2) modalities (whether timed or non-timed) per visit, per discipline, per day.

NOTE: Instruction and application of a transcutaneous electric nerve stimulation (TENS) unit for the patient's independent use at home shall be billed only once per workers' compensation claim using CPT® 64550. For Maximum Fee Schedule value, see section 18-6(A).

The modified RVUs for an unlisted modality, CPT® 97039, are 0.36 non-facility and facility.

(6) Evaluation Services for Therapists: Physical Therapy (PT), Occupational Therapy (OT) and Athletic Trainers (AT)

(a) All evaluation services must be supported by the appropriate history, physical examination documentation, treatment goals and treatment plan or re-evaluation of the treatment plan, as outlined in the 2019 CPT®. The provider shall clearly state the reason for the evaluation, the nature and results of the physical examination of the patient, and the reasoning for recommending the continuation or adjustment of the treatment protocol. Without appropriate supporting documentation, the payer may deny payment. The re-evaluation codes shall not be billed for routine pre-treatment patient assessment.

If a new problem or abnormality is encountered that requires a new evaluation and treatment plan, the professional may perform and bill for another initial evaluation. A new problem or abnormality may be caused by a surgical procedure being performed after the initial evaluation has been completed.

A re-examination, re-evaluation, or re-assessment is different from a progress note. Therapists should not bill these codes for a progress note. Therapists may bill a re-evaluation code only if:

- (i) professional assessment indicates a significant improvement or decline or change in the patient's condition or a functional status that was not anticipated in the plan of care for that time interval.
- (ii) new clinical findings become known.
- (iii) the patient fails to respond to the treatment outlined in the current plan of care.

- (b) A PT or OT may utilize a Rehabilitation Communication Form (WC 196) in addition to a progress note no more than every two (2) weeks for the first six (6) weeks, and once every four (4) weeks thereafter.

The WC 196 form should not be used for an evaluation, re-evaluation or re-assessment.

The WC 196 form must be completed and include which validated functional tool was used for assessing the patient.

The form shall be sent to the referring physician before or at the patient's follow up appointment with the physician, to aid in communication.

DoWC Z0817 \$15.30.

- (c) Payers are only required to pay for evaluation services directly performed by a PT, OT, or AT. All evaluation notes or reports must be written and signed by the PT, OT or AT.
- (d) A patient may be seen by more than one (1) health care professional on the same day. Each professional may charge an evaluation service with appropriate documentation per patient, per day.
- (e) Reimbursement to PTs and OTs for coordination of care with professionals shall be based upon the telephone codes for qualified non-physician providers found in the Medicine Section of CPT®. Coordination of care reimbursement is limited to telephone calls made to outside professionals and/or to the injured worker or his or her family.
- (f) The RVU for evaluation services performed by ATs shall be equal to the RVU for evaluation services performed by PTs.
- (g) Interdisciplinary team conferences shall be billed per subsection (3) above.

(7) Special Tests

- (a) The following are considered special tests:
 - (i) Job Site Evaluation
 - (ii) Functional Capacity Evaluation
 - (iii) Assistive Technology Assessment
 - (iv) Speech
 - (v) Computer Enhanced Evaluation (DoWC Z0503)
 - (vi) Work Tolerance Screening (DoWC Z0504)

The facility and non-facility RVU for DoWC Z0503 and Z0504 is 0.93.

- (b) Billing Restrictions:
 - (i) Job site evaluations exceeding two (2) hours require prior authorization. Computer-Enhanced Evaluations and Work Tolerance Screenings for more than four (4) hours per test or more than three (3) tests per claim require prior authorization. Functional Capacity

Evaluations for more than four (4) hours per test or two (2) tests per claim require prior authorization.

- (ii) The provider shall specify the time required to perform the test in 15-minute increments.
 - (iii) The value for the analysis and the written report is included in the code's value.
 - (iv) No E&M services or PT, OT, or acupuncture evaluations shall be charged separately for these tests.
 - (v) Data from computerized equipment shall always include the supporting analysis developed by the PM&R professional before it is payable as a special test.
- (c) All special tests must be fully supervised by a physician, PT, OT, speech language pathologist/therapist or audiologist. Final reports must be written and signed by the physician, PT, OT, speech language pathologist/therapist or audiologist.
- (8) Physical medicine supplies are reimbursed in accordance with section 18-6(A).
- (9) Use of a facility or equipment for unattended procedures, in an individual or group setting, may be billed with DoWC Z0505 (once per day), RVU 0.23.
- (10) Non-Medical Facility Fees
- Gyms, pools, etc., and training or supervision by non-medical providers require prior authorization and a written negotiated fee for every three month period.
- (11) Work Conditioning, Work Hardening, Work Simulation
- (a) Work Conditioning is a non-interdisciplinary program that is focused on the individual needs of the patient to return to work. Usually one (1) discipline oversees the patient in meeting goals to return to work.
 - (b) Work Hardening is an interdisciplinary program that uses a team of disciplines to meet the goal of employability and return to work. This type of program entails a progressive increase in the number of hours a day that an individual completes work tasks until they can tolerate a full workday. In order to do this, the program must address the medical, psychological, behavioral, physical, functional and vocational components of employability and return to work.
 - (c) Work Simulation is a program where an individual completes specific work-related tasks for a particular job and return to work. Use of this program is appropriate when modified duty can only be partially accommodated in the work place, when modified duty in the work place is unavailable, or when the patient requires more structured supervision. The need for work simulation should be based upon the results of a functional capacity evaluation and/or job analysis.
 - (d) Treatment Plan:

- (i) The provider shall submit a treatment plan including expected frequency and duration of treatment. If requested by the provider, the payer will prior authorize payment for the treatment plan services or shall identify any concerns including those based on the reasonableness or necessity of care.
- (ii) All procedures must be performed by or under the onsite supervision of a physician, psychologist, PT, OT, speech language pathologist or audiologist.
- (e) Modified facility and non-facility RVUs are 3.4 for initial 2 hours and 1.7 for each additional hour.

(12) Wound Care

Wound care is separately payable only when devitalized tissue is debrided using a recognized method (chemical, water, vacuums). CPT® 97602 is not recognized for payment.

(13) Acupuncture

- (a) Acupuncture may be performed with or without the electrical current on the needles at the acupuncture site.

All non-physician acupuncture providers must be a Licensed Acupuncturist (LAc) by the Colorado Department of Regulatory Agencies as provided in Rule 16. Both physician and non-physician providers must provide evidence of training, and licensure upon request of the payer.

- (b) New or established patient evaluation services are payable if the medical record specifies the appropriate history, physical examination, treatment plan or evaluation of the treatment plan. Payers are only required to pay for evaluation services directly performed by a physician or an LAc. All evaluation notes or reports must be written and signed by the physician or the LAc.

LAc new patient visit: DOWC Z0800, \$101.80

LAc established patient visit: DOWC Z0801, \$68.95

(I) TELEMEDICINE

- (1) The healthcare services listed in Appendix P of CPT®, Division Z-codes (when appropriate), G0459, G0508, and G0509 may be provided via telemedicine. Additional services may be provided via telemedicine with prior authorization. The provider shall append modifier 95 to indicate synchronous telemedicine service rendered via a real-time interactive audio and video telecommunications system.

All healthcare services provided through telemedicine shall comply with the applicable requirements found in the Colorado Medical Practice Act and Colorado Mental Health Practice Act, as well as the rules and policies adopted by the Colorado Medical Board and the Colorado Board of Psychologist Examiners.

- (2) HIPAA privacy and electronic security standards are required for the originating site(s) and the rendering provider(s).
- (3) The physician-patient / psychologist-patient relationship needs to be established.
 - (a) This relationship is established through assessment, diagnosis and treatment of the patient. Two-way live audio/video services are among acceptable methods to 'establish' a patient relationship.
 - (b) The patient is required to provide the appropriate consent for treatment.
- (4) Payment for telemedicine services:

- (a) Telemedicine services performed outside of an authorized originating site must be billed without an originating site fee. The distance (rendering) provider may be the only provider involved in the provision of telemedicine services. The rendering provider shall bill CPT® place of service (POS) code 02. This POS code does not apply to the originating site billing a facility fee.

The originating site is responsible for establishing and verifying injured worker and provider identity. Authorized originating sites include:

- The office of a physician or practitioner
 - A hospital (inpatient or outpatient)
 - A critical access hospital (CAH)
 - A rural health clinic (RHC)
 - A federally qualified health center (FQHC)
 - A hospital based or critical access hospital based renal dialysis center (including satellites)
 - A skilled nursing facility (SNF)
 - A community mental health center (CMHC)
- (b) Reimbursement is the RBRVS unit value for the CPT® code times the appropriate CF + \$5.00 transmission fee per date of service when modifier 95 is appended to the appropriate CPT® code(s).
 - (c) Telemedicine:
 - (i) Facilities can bill Q3014 per 15 minutes, \$35.00, for the originating fee.

All locations not associated with medical care, such as a private residence where an injured worker is located when receiving telemedicine services may not bill the originating fee. The medical records shall document the physical locations of the rendering provider and the injured worker.

- (ii) Payment for services that have professional and technical components:

The originating site provider shall bill the technical component (modifier TC). The distant site provider interpreting the results shall bill the professional component (modifier 26).

- (iii) The equipment or supplies at distant sites are not separately payable.

- (iv) Professional fees of the supporting providers at originating sites are not separately payable.
- (v) Medical providers shall bill codes G0425-G0427 for consultations, emergency department or initial inpatient visits.
- (vi) Medical providers shall bill codes G0406-G0408 for follow up inpatient consultations.

18-5 FACILITY FEES

(A) INPATIENT HOSPITAL FACILITY FEES

(1) Billing:

- (a) Inpatient hospital facility fees shall be billed on the UB-04 and require summary level billing by revenue code. The provider must submit itemized bills along with the UB-04.
- (b) The maximum inpatient facility fee is determined by applying the Center for Medicare and Medicaid Services (CMS) "Medicare Severity Diagnosis Related Groups" (MS-DRGs) classification system in effect at the time of discharge. Exhibit #1 shows the relative weights per MS-DRGs that are used in calculating the maximum allowance.

The hospital shall indicate the MS-DRG code number FL 71 of the UB-04 billing form and maintain documentation on file showing how the MS-DRG was determined. The hospital shall determine the MS-DRG using the MS-DRGs Definitions Manual in effect at the time of discharge. The attending physician shall not be required to certify this documentation unless a dispute arises between the hospital and the payer regarding MS-DRG assignment. The payer may deny payment for services until the appropriate MS-DRG code is supplied.

- (c) Exhibit #1 establishes the maximum length of stay (LOS) using the "arithmetic mean LOS". However, no additional allowance for exceeding this LOS, other than through the cost outlier criteria under subsection 2(e) is allowed.
- (d) Any inpatient admission requiring the use of both an acute care hospital (admission/discharge) and its Medicare certified rehabilitation facility (admission/discharge) is considered as one (1) admission and MS-DRG. This does not apply to long-term care and licensed rehabilitation facilities.

(2) Reimbursement:

- (a) The following types of inpatient facilities are reimbursed at 100% of billed inpatient charges:
 - (i) Children's hospitals
 - (ii) Veterans' Administration hospitals
 - (iii) State psychiatric hospitals

- (b) The following types of inpatient facilities are reimbursed at 80% of billed inpatient charges:
- (i) Medicare certified Critical Access Hospitals (CAH) (listed in Exhibit #3)
 - (ii) Colorado Department of Public Health and Environment (CDPHE) licensed rehabilitation facilities,
 - (iii) CDPHE licensed psychiatric facilities that are privately owned.
 - (iv) CDPHE licensed skilled nursing facilities (SNF).
- (c) Medicare Long Term Care Hospitals (MLTCH)
- MLTCHs are reimbursed \$3,350 per day, not to exceed 75% of total billed charges. If total billed charges exceed \$300,000, reimbursement shall be 75% of billed charges. All charges shall be submitted on a final bill, unless the parties agree on interim billing. The rate in effect on the last date of service covered by an interim or a final bill shall determine payment.
- The total length of stay includes the date of admission but not the date of discharge. Typically, bed hold days or temporary leaves are not subtracted from the total length of stay.
- (d) All other inpatient facilities are reimbursed as follows:
- Retrieve the relative weights for the assigned MS-DRG from the MS-DRG table in effect at the time of discharge in Exhibit #1 and locate the hospital's base rate in Exhibit #2.
- The "Maximum Fee Allowance" is determined by calculating:
- (i) $(\text{MS-DRG Relative Wt} \times \text{Specific hospital base rate} \times 185\%) + (\text{trauma center activation allowance}) + (\text{organ acquisition, when appropriate})$.
 - (ii) For trauma center activation allowance, (revenue codes 680-685) see subsection (B)(6)(e)
 - (iii) For organ acquisition allowance, (revenue codes 810-819) see subsection (A)(2)(i).
- (e) Outliers are admissions with extraordinary cost warranting additional reimbursement beyond the maximum allowance under subsection (d) above. To calculate the additional reimbursement, if any:
- (i) Determine the "Hospital's Cost":

Total billed charges (excluding any trauma center activation or organ acquisition billed charges) multiplied by the hospital's cost-to-charge ratio.
 - (ii) Each hospital's cost-to-charge ratio is given in Exhibit #2.

(iii) The "Difference" = "Hospital's Cost" – "Maximum Fee Allowance" excluding any trauma center activation or organ acquisition allowance (see (d) above).

(iv) If the "Difference" is greater than \$26,994.00, additional reimbursement is warranted. The additional reimbursement is determined by the following equation:

$$\text{"Difference"} \times .80 = \text{additional fee allowance}$$

(f) Inpatient combined with Emergency Department (ED), Trauma Center or organ acquisition reimbursement.

(i) If an injured worker is admitted to the hospital, the ED reimbursement is included in the inpatient reimbursement under this section.

(ii) Trauma center activation fees and organ acquisition allowance are paid in addition to inpatient fees.

(g) If an injured worker is admitted to one hospital and is subsequently transferred to another hospital, the payment to the transferring hospital will be based upon a per diem value of the MS-DRG maximum value. The per diem value is calculated based upon the transferring hospital's MS-DRG relative weight multiplied by the hospital's specific base rate (Exhibit #2) divided by the MS-DRG geometric mean length of stay (Exhibit #1). This per diem amount is multiplied by the actual LOS. If the patient is admitted and transferred on the same day, the actual LOS equals one (1). The receiving hospital shall receive the appropriate MS-DRG maximum value.

(h) The payer shall compare each billed charge type:

(i) The MS-DRG adjusted billed charges to the MS-DRG allowance (including any outlier allowance);

(ii) The trauma center activation billed charge to the trauma center activation allowance; and

(iii) The organ acquisition charges to the organ acquisition maximum fees.

The MS-DRG adjusted billed charges are determined by subtracting the trauma center activation billed charges and the organ acquisition billed charges from the total billed charges. The final payment is the sum of the lesser of each of these comparisons.

(i) The organ acquisition allowance is calculated using the most recent filed computation of organ acquisition costs and charges for hospitals that are certified transplant centers (CMS Worksheet D-4 or subsequent form) plus 20%.

(B) OUTPATIENT FACILITY FEES

(1) Provider Restrictions

(a) All non-emergency outpatient surgeries require prior authorization unless the Medical Treatment Guidelines recommend a surgery for the particular

condition. All outpatient surgical procedures performed in an ASC shall warrant performance at an ASC level.

- (b) A facility fee is payable only if the facility is licensed as a hospital or an ASC by the Colorado Department of Public Health and Environment (CDPHE) or applicable out of state governing agency or statute.

(2) Types of Bills for Service:

- (a) Outpatient facility fees shall be billed on the UB-04 and require summary level billing by revenue code. The provider must submit itemized bills along with the UB-04.
- (b) All professional charges (professional services include, but are not limited to, PT/OT, anesthesia, speech therapy, etc.) are subject to the RBRVS and Dental Fee Schedules as incorporated by this Rule and applicable to all facilities regardless of whether the facility fees are based upon Exhibit #4 or a percentage of billed charges.
- (c) Outpatient hospital facility bills include all outpatient surgery, ED, Clinics, Urgent Care (UC) and diagnostic testing in the Radiology, Pathology or Medicine Section of CPT®/RBRVS.

(3) Outpatient Facility Reimbursement:

- (a) The following types of outpatient facilities are reimbursed at 100% of billed outpatient charges, except for any associated professional fees:
 - (i) Children's hospitals
 - (ii) Veterans' Administration hospitals
 - (iii) State psychiatric hospitals

- (b) The CAHs listed in Exhibit #3 are reimbursed at 80% of billed outpatient facility charges, except for any associated professional fees.

(c) Ambulatory Payment Classifications (APC) Codes and Values:

Hospital reimbursement is based upon Medicare's 2019 Outpatient Prospective Payment System (OPPS) as modified in Exhibit #4. Exhibit #4 lists Medicare's Outpatient Hospital APC Codes and the Division's established rates for hospitals and other types of providers as follows:

- (i) Column 1 lists the APC code number.
- (ii) Column 2 lists APC code description.
- (iii) Column 3 is used to determine maximum fees for all hospital facilities not listed under subsections (a) and (b).
- (iv) Column 4 is used to determine maximum fees for all ASCs when outpatient surgery is performed in an ASC.

To identify which APC grouper is aligned with an Exhibit #4 APC code number and dollar value, use Medicare's 2019 Addendum B.

- (d) The following CPT® codes listed with a "C" status indicator in Medicare's Addendum B, shall align to the following APC codes for payment:

CPT® 22558 = APC 5116
 CPT® 22600, 22610, 22630, 22633, and 22857 = APC 5115
 CPT® 22632 = APC 5092
 CPT® 22634, 22800, and 22830= APC 5114
 CPT® 22846 = APC 5192
 CPT® 22849, 22850, 22852, and 22855 = APC 1571
 CPT® 23472, 23474, 27130, 27132, 27134, 27137, 27138, 27447, and 27702 = APC 1575

- (4) The APC Exhibit #4 values include the services and revenue codes listed below; therefore, these are generally not separately payable. However, the maximum allowable fee in Exhibit #4 may be exceeded in the rare case a more expensive implant is medically necessary. The facility must request prior authorization for additional payment with a separate report documenting medical reasonableness and necessity and submit an invoice showing cost of the implant(s) to the facility. Payers must report authorized exceptions to the Division’s Medical Policy Unit on a monthly basis. Drugs and devices having a status indicator of G and H receive a pass-through payment. In some instances, the procedure code may have an APC code assigned. These are separately payable based on APC values if given in Exhibit #4 or cost to the facility.

Services and items included in the APC value:

- (a) nursing, technician, and related services;
- (b) use of the facility where the surgical procedure(s) was performed;
- (c) drugs and biologicals for which separate payment is not allowed;
- (d) medical and surgical supplies, durable medical equipment and orthotics not listed as a “pass through”;
- (e) surgical dressings;
- (f) equipment;
- (g) splints, casts and related devices;
- (h) radiology services when not allowed under Exhibit #4;
- (i) administrative, record keeping and housekeeping items and services;
- (j) materials, including supplies and equipment for the administration and monitoring of anesthesia;
- (k) supervision of the services of an anesthetist by the operating surgeon;
- (l) post-operative pain blocks; and
- (m) implanted items.

Packaged Services	
Rev Code	Description
0250	Pharmacy; General Classification
0251	Pharmacy; Generic Drugs
0252	Pharmacy; Non-Generic Drugs
0254	Pharmacy; Drugs Incident to Other Diagnostic Services
0255	Pharmacy; Drugs Incident to Radiology
0257	Pharmacy; Non-Prescription
0258	Pharmacy; IV Solutions
0259	Pharmacy; Other Pharmacy
0260	IV Therapy; General Classification
0261	IV Therapy; Infusion Pump
0262	IV Therapy; IV Therapy/Pharmacy Services
0263	IV Therapy; IV Therapy/Drug/Supply Delivery

Packaged Services	
Rev Code	Description
0264	IV Therapy; IV Therapy/Supplies
0269	IV Therapy; Other IV Therapy
0270	Medical/Surgical Supplies and Devices; General Classification
0271	Medical/Surgical Supplies and Devices; Non-sterile Supply
0272	Medical/Surgical Supplies and Devices; Sterile Supply
0275	Medical/Surgical Supplies and Devices; Pacemaker
0276	Medical/Surgical Supplies and Devices; Intraocular Lens
0278	Medical/Surgical Supplies and Devices
0279	Medical/Surgical Supplies and Devices
0280	Oncology; General Classification
0289	Oncology; Other Oncology
0343	Nuclear Medicine; Diagnostic Radiopharmaceuticals
0344	Nuclear Medicine; Therapeutic Radiopharmaceuticals
0370	Anesthesia; General Classification
0371	Anesthesia; Anesthesia Incident to Radiology
0372	Anesthesia; Anesthesia Incident to Other DX Services
0379	Anesthesia; Other Anesthesia
0390	Administration, Processing & Storage for Blood & Blood Components; General Classification
0392	Administration, Processing & Storage for Blood & Blood Components; Processing & Storage
0399	Administration, Processing & Storage for Blood & Blood Components; Other Blood Handling
0621	Medical Surgical Supplies - Extension of 027X; Supplies Incident to Radiology
0622	Medical Surgical Supplies - Extension of 027X; Supplies Incident to Other DX Services
0623	Medical Supplies - Extension of 027X, Surgical Dressings
0624	Medical Surgical Supplies - Extension of 027X; FDA Investigational Devices
0630	Pharmacy - Extension of 025X; Reserved
0631	Pharmacy - Extension of 025X; Single Source Drug
0632	Pharmacy - Extension of 025X; Multiple Source Drug
0633	Pharmacy - Extension of 025X; Restrictive Prescription
0700	Cast Room; General Classification
0710	Recovery Room; General Classification
0720	Labor Room/Delivery; General Classification
0721	Labor Room/Delivery; Labor
0732	EKG/ECG (Electrocardiogram); Telemetry
0821	Hemodialysis-Outpatient or Home; Hemodialysis Composite or Other Rate
0824	Hemodialysis-Outpatient or Home; Maintenance - 100%
0825	Hemodialysis-Outpatient or Home; Support Services
0829	Hemodialysis-Outpatient or Home; Other OP Hemodialysis
0942	Other Therapeutic Services (also see 095X, an extension of 094x); Education/Training
0943	Other Therapeutic Services (also see 095X, an extension of 094X), Cardiac Rehabilitation
0948	Other Therapeutic Services (also see 095X, an extension of 094X),

Packaged Services	
Rev Code	Description
	Pulmonary Rehabilitation

(5) Status Indicators from Medicare’s Addendum B are applied as follows:

Indicator	Meaning
A	Use another fee schedule instead of Exhibit #4, such as conversion factors listed in section 18-4, RBRVS RVUs, Ambulance Fee Schedule, or Exhibit #8.
B	Is not recognized by Medicare for Outpatient Hospital Services Part B bill type (12x and 130x) and therefore is not separately payable unless separate fees are applicable under another section of this Rule.
C	Recognized by Medicare as inpatient-only procedures. However, the Division recognizes these procedures on an outpatient basis with prior authorization. See subsection 18-5(B)(3)(d) for reimbursement of certain procedures with “C” status indicator.
D	Discontinued code.
E1 or E2	Not paid by Medicare when submitted on any outpatient bill type. However, services could still be reasonable and necessary, thus requiring hospital or ASC level of care. The billing party shall submit documentation to substantiate the billed service codes and any similar established codes with fees in Exhibit #4.
F	Corneal tissue acquisition and certain CRNA services and Hepatitis B vaccines are allowed at a reasonable cost to the facility. The facility must provide a separate invoice identifying its cost.
G	“Pass-Through Drugs and Biologicals” are separately payable under Exhibit #4 as an APC value.
H	A “Pass-Through Device” is separately payable based on cost to the facility.
J1 or J2	The services are paid through a “comprehensive APC” for Medicare. However, the DoWC has not adopted the “comprehensive APC.” Therefore, an agreement between the payer and the provider is necessary.
K	A separately payable “Pass-Through Drug or Biological or Device” for therapeutic radiopharmaceuticals, brachytherapy sources, blood and blood products as listed under Exhibit #4 APC value.
L	Represents Influenza Vaccine/Pneumococcal Pneumonia Vaccine and therefore is generally considered to be unrelated to work injuries.

M	Not separately payable.
N	Service is bundled and is not separately payable.
P	Partial hospitalization paid based on observation fees outlined in this section.
R	Blood and blood products
Q	Any "Packaged Codes" with Q1, Q2, Q3, Q4 or STVX combinations are not recognized unless the parties make a prior agreement.
S or T	Multiple procedures, the highest-valued code allowed at 100% of the Exhibit #4 value and up to three (3) additional codes allowed at 50% of the Exhibit #4 value, per episode of care.
U	Brachytherapy source and is separately payable under Exhibit #4 APC value.
V	Represents a clinic or an ED visit and is separately payable for hospitals as specified in section 18-5(B)(6).
Y	Non-implantable Durable Medical Equipment paid pursuant to Medicare's Durable Medical Equipment Regional Carrier fee schedule for Colorado.

- (6) Total maximum facility value for an outpatient hospital episode of care:
- (a) Facility fee reimbursement is limited to a maximum of four (4) procedure codes per episode. The highest valued APC code is reimbursed at 100% of the allowed Exhibit #4 value for the type of facility, plus 50% of the following three highest valued codes.
 - (i) The use of modifier 51 is not a factor in determining which codes are subject to multiple procedure reductions.
 - (ii) Bilateral procedures require each procedure to be billed on separate lines using RT and LT modifiers.
 - (iii) Immune globulins, vaccines, and toxoids, CPT® 90281-90399 and 90476-90756 are exempt from the multiple procedure reduction and shall be paid in addition to the four procedure codes at 100% of the fee schedule.
 - (iv) When a code is billed with multiple units, multiple procedure reductions apply to the second through fourth units as appropriate. Units may also be subject to other maximum frequency per day policies.
 - (b) Other surgical payment policies are as follows:

- (i) All surgical procedures performed in one operating room, regardless the number of surgeons, are considered one outpatient surgical episode of care for payment purposes.
 - (ii) If an arthroscopic procedure fails and is converted to an open procedure, only the open procedure is reportable. Thus, arthroscopic procedures are bundled into open procedures. If an arthroscopic procedure and open procedure are performed on different joints, the two procedures may be separately reportable with anatomic modifiers or modifier 59.
 - (iii) When reported in conjunction with other knee arthroscopy codes, any combination of surgical knee arthroscopies for removal of loose body, foreign body, and/or debridement/shaving of articular cartilage shall be paid only if performed in a different knee compartment using G0289.
 - (iv) Discontinued surgeries require the use of modifier 73 (discontinued prior to the administration of anesthesia) or modifier 74 (discontinued after administration of anesthesia). Modifier 73 results in a reimbursement of 50% of the APC value for the primary procedure only. Modifier 74 allows reimbursement of 100% of the primary procedure value only.
 - (v) Facilities receive the lesser of the actual charge or the fee schedule allowance. A line-by-line comparison of charges is not appropriate.
- (c) Hospitals billing type "A" or "B" ED visits shall meet one of the following hospital licensure and billing criteria:
- (i) The EDs must be physically located within a hospital licensed by the CDPHE as a general hospital or meet the out-of-state facility's state's licensure requirements and billed using revenue code 450 and applicable CPT® codes; or
 - (ii) A freestanding type "B" ED, must have equivalent operations and staffing as a licensed ED, must be physically located inside of a hospital, and meet Emergency Medical Treatment and Active Labor Act (EMTALA) regulations. All type "B" outpatient ED visits must be billed using revenue code 456 with level of care HCPCS codes G0380-G0384, even though the facility may not be open 24/7;
- (d) ED level of care is identified based upon one (1) of five (5) levels of care for either a type "A" or type "B" ED visit. The level of care is defined by CPT® E&M definitions and internal level of care guidelines developed by the hospital in compliance with Medicare regulations. The hospital's guidelines should establish an appropriate graduation of hospital resources (ED staff and other resources) as the level of service increases. Upon request, the provider shall supply a copy of their level of care guidelines to the payer. (Only the higher one (1) of any ED levels or critical care codes shall be paid).
- (e) Trauma activation means a trauma team has been activated, not just alerted. Trauma activation is billed with 068X revenue codes. The level of trauma activation shall be determined by CDPHE's assigned hospital

trauma level designation. Trauma activation fees are in addition to ED and inpatient fees and are not paid for alerts. APC 5045, Trauma Response with Critical Care, is not recognized for separate payment.

Trauma activation fees are as follows:

Revenue Code 681	\$3,303.00
Revenue Code 682	\$1,433.00
Revenue Code 683	\$1,408.00
Revenue Code 684	\$954.00

- (f) If an injured worker is admitted to the hospital through that hospital's ED, the ED reimbursement is included in the inpatient reimbursement under section 18-5(A).
- (g) Any diagnostic testing clinical labs or therapies with a status indicator of "A" may be reimbursed using Exhibit #8 or the appropriate CF to the unit values for the specific CPT® code as listed in the RBRVS. Hospital bill types 13x are allowed payment for any clinical laboratory services (even if the SI is "N" for the specific clinical laboratory CPT® code) when these laboratory services are unrelated to any other outpatient services performed that day. The maximum fees are based upon Exhibit #8.
- (h) Charges for observation status lasting longer than six (6) hours may be subject to retroactive review. Documentation should support the medical necessity for observation or convalescent care. Observation time begins when the patient is placed in a bed for the purpose of initiating observation care in accordance with the physician's order. Observation or daily outpatient convalescence time ends when the patient is actually discharged from the hospital or ASC or admitted into a licensed facility for an inpatient stay. Observation time would not include the time patients remain in the observation area after treatment is finished for reasons such as waiting for transportation home. Hospital or convalescence licensure is required for billing observation or convalescence time beyond 23 hours.

Billing Code is G0378, \$45.90 per hour, round to the nearest hour.

- (i) Professional fees are reimbursed according to the fee schedule times the appropriate CF regardless of the facility type. Additional reimbursement is payable for the following services not included in the values found in Exhibit #4:
 - (i) ambulance services (revenue code 540), see section 18-6(E)
 - (ii) blood, blood plasma, platelets (revenue codes 380X)
 - (iii) physician or physician assistant services
 - (iv) nurse practitioner services
 - (v) licensed clinical psychologist
 - (vi) licensed social workers
 - (vii) rehabilitation services (PT, OT, respiratory or speech/language, revenue codes 420, 430,440)

- (j) Any prescription for a drug supply to be used longer than a 24 hour period, filled at any clinic, shall fall under the requirements of and be reimbursed as a pharmacy fee, see section 18-6(C).
- (k) Clinics (part of a hospital or a freestanding clinic) (Form Locator (FL) 4 are 07xx and revenue codes 51x-53x):
 - (i) Provider Restrictions - types of facilities that are recognized for separate clinic facility fees:
 - Rural Health Clinics as identified in Exhibit #5 and/or as certified by the CDPHE;
 - Critical Access Hospitals as identified in Exhibit #3 and/or as certified by the CDPHE;
 - Any specialty care clinic (wound/infections) that requires expensive drugs/supplies that are not typically provided in a physician's office.
 - (ii) Billing and Maximum Fees
 - Clinics designated as rural health facilities and listed in Exhibit #5 may be reimbursed a single separate clinic fee at 80% of billed charges per date of service, regardless of whether the clinic has been designated by the employer, the urgency of the episode of care, or the time of day.
 - CAHs listed in Exhibit #5 may be reimbursed a single separate clinic fee at 80% of billed charges per date of service.
 - Any specialty care clinic (wound/infections) that requires drugs/supplies that are typically not provided in a physician's office may be allowed a separate clinic fee with prior approval from the payer, as outlined in Exhibit #4.
 - No other clinic facility fees are payable except those listed in section 18-5
 - Maximum fees for hospital urgent care facilities or services are covered under section (C). These are identified by either place of service code 20, as billed on a CMS-1500, or by revenue code(s) 516 or 526 on a UB-04.
 - (iii) Clinic fees are paid based on Exhibit #4 and as outlined in this Rule.
- (l) IV infusion therapy performed in an outpatient hospital facility is separately payable in accordance with this section.
- (m) Off campus (place of service code 19) freestanding imaging centers shall be reimbursed using the RBRVS TC value(s) instead of the APC value.

(C) URGENT CARE FACILITIES

(1) Provider Restrictions

Facility fees are only payable if the facility qualifies as an Urgent Care facility. All Urgent Care facilities shall be accredited or certified by the Urgent Care Association (UCA) or accredited by the Joint Commission to be recognized for a separate facility payment for the initial visit.

- (2) Billing and Maximum Fees:
 - (a) Urgent Care Facility Fees:
 - (i) No separate facility fees are allowed for follow-up care. To receive a separate facility fee, a subsequent diagnosis shall be based on a new acute care situation and not the initial diagnosis.
 - (ii) No facility fee is appropriate when the injured worker is sent to the employer's designated provider for a non-urgent episode of care during regular business hours of 8 am to 5 pm, Monday through Friday.
 - (iii) Hospitals may bill on the UB-04 using revenue code 516 or 526 and the facility HCPCS code S9088, \$76.50, with 1 unit. All maximum fees for other services billed on the UB-04 shall be in accordance with CPT® relative weights from RBRVS, multiplied by the appropriate CF.
 - (iv) Hospital and non-hospital based urgent care facilities may bill for the facility fee, HCPCS code S9088, \$76.50, on the CMS-1500 with professional services. All other services and procedures provided in an urgent care facility, including a freestanding facility, are reimbursed according to the appropriate CPT® code relative weight from RBRVS multiplied by the appropriate CF.
 - (b) All professional physician or non-physician fees shall be billed on a CMS-1500 with a Place of Service Code 20. The maximum fees shall be in accordance with the appropriate CPT® code relative weight from RBRVS multiplied by the appropriate CF.
 - (c) All supplies are included in the facility fee for urgent care facilities.
 - (d) Any prescription for a drug supply to be used for longer than 24 hours, filled at any clinic, shall fall under the requirements of and be reimbursed as a pharmacy fee. See section 18-6(C).

18-6 ANCILLARY SERVICES

(A) DURABLE MEDICAL EQUIPMENT, PROSTHESES AND ORTHOTICS, SUPPLIES (DMEPOS)

(1) Durable Medical Equipment (DME)

This is equipment that can withstand repeated use and allows injured workers accessibility in the home, work, and community. DME can be categorized as:

- (a) Purchased Equipment/Capped Rental:
 - (i) Items that cost \$100.00 or less may not be rented.
 - (ii) Rented items must be purchased or discontinued after 10 months of continuous use or once the total fee scheduled price has been reached.
 - (iii) The monthly rental rate cannot exceed 10% of the DMEPOS fee schedule, or if not available, the cost of the item to the provider or the supplier (after taking into account any discounts/rebates the

supplier or the provider may have received). When the item is purchased, all rental fees shall be deducted from the total fee scheduled price. If necessary, the parties should use an invoice to establish the purchase price.

- (iv) Purchased items may require maintenance/servicing agreements or fees. The fees are separately payable. Rented items typically include these fees in the monthly rental rates.
- (v) Modifier NU shall be appended for new, UE for used purchased items or modifier RR for rented items.

(b) Take Home Exercise Equipment

Items with a total cost of \$50 or less may be billed using A9300 without an invoice at a maximum fee of actual billed charges; however, payers reserve the right to request an invoice, at any time, to validate the provider's cost. Home exercise supplies can include, but are not limited to the following items: therabands, theratubes, band/tube straps, theraputty, bow-tie tubing, fitness cables/trainers, overhead pulleys, exercise balls, cuff weights, dumbbells, ankle weight bands, wrist weight bands, hand squeeze balls, flexbars, digiflex hand exercisers, power webs, plyoballs, spring hand grippers, hand helper rubber band units, ankle stretchers, rocker boards, balance paws, and aqua weights.

(c) Electrical Stimulators

Electrical stimulators are bundled kits that include the portable unit(s), 2 to 4 leads and pads, initial battery, electrical adapters, and carrying case. Kits that cost more than \$100.00 shall be rented for the first month of use and require documentation of effectiveness prior to purchase (effectiveness means functional improvement and decreased pain.)

- (i) TENS (Transcutaneous Electric Nerve Stimulator) machines/kits, IF (Interferential) machines/kits, and any other type of electrical stimulator combination kits: E0720 for a kit with 2 leads or E0730 for a kit with 4 leads;
- (ii) Electrical Muscle Stimulation machines/kits: E0744 for scoliosis; or E0745 for neuromuscular stimulator, electric shock unit;
- (iii) Replacement supplies are limited to once per month and are not eligible with a first month rental.
A4595 - electrical stimulator supplies, 2 leads.
A4557 - replacement leads.
- (iv) Conductive Garments: E0731.

(d) Continuous Passive Motion Devices (CPMs):

These devices are bundled into the facility fees and not separately payable, unless the Medical Treatment Guidelines recommend their use after discharge for the particular condition.

E0935 – continuous passive motion exercise device for use on the knee only

E0936 – continuous passive motion exercise device for use on body parts other than knee.

(e) Intermittent Pneumatic Devices

These devices (including, but not limited to, Game Ready and cold compression) are bundled into facility fees and are not separately payable. The use of these devices after discharge requires prior authorization.

E0650-E0676 – Codes based on body part(s), segmental or not, gradient pressure and cycling of pressure and purpose of use; and

A4600 – Sleeve for intermittent limb compression device, replacement only, per each limb.

(2) Prosthesis and Orthotics

Maximum fees for any orthotic created using casting materials shall be billed using Medicare's Q codes and values listed under Medicare's DMEPOS fee schedule for Colorado. The therapist time necessary to create the orthotic shall be billed using CPT® 97760.

Payment for professional services associated with the fabrication and/or modification of orthotics, custom splints, adaptive equipment, and/or adaptation and programming of communication systems and devices shall be paid in accordance with the Colorado Medicare HCPCS Level II values.

(3) Supplies

Supplies necessary to perform a service or procedure are considered inclusive and not separately reimbursable. Only supplies that are not an integral part of a service or procedure are considered to be over and above those usually included in the service or procedure. Reimbursement of supplies to facilities shall comply with the appropriate section of this Rule.

(4) Reimbursement

Unless other limitations exist in this Rule, DMEPOS suppliers and medical providers shall be reimbursed using Medicare's HCPCS Level II codes, when one exists, as established in the January 2019 DMEPOS schedule for rural (R) or non-rural (NR) areas. The DMEPOS schedule can be found at <https://www.cms.gov>.

If no code or value exists, reimbursement shall be based on Colorado Medicaid's DME, Upper Payment Limit, January 2019 Interim Rate for rural or non-rural areas. See <https://www.colorado.gov/hcpf/provider-rates-fee-schedule>.

If no Medicaid fee schedule value exists, reimbursement shall be based on 120% of the cost of the item as indicated by invoice. Shipping and handling charges are not separately payable. Payers shall not recognize the KE modifier.

Auto-shipping of monthly DMEPOS is not allowed.

(5) Complex Rehabilitation Technology dispensed and billed by Non-Physician DMEPOS Suppliers

(a) Complex rehabilitation technology (CRT) items, including products such as complex rehabilitation power wheelchairs, highly configurable manual

wheelchairs, adaptive seating and positioning systems, and other specialized equipment, such as standing frames and gait trainers, enable individuals to maximize their function and minimize the extent and costs of their medical care.

- (b) Complex Rehabilitation Technology products must be provided by suppliers who are specifically accredited by a Center for Medicare and Medicaid Services (CMS) deemed accreditation organization as a supplier of CRT and licensed as a DMEPOS Supplier with the Colorado Secretary of State.

(B) HOME CARE SERVICES

Prior authorization is required for all home care services, unless otherwise specified. All skilled home care service providers shall be licensed by the Colorado Department of Public Health and Environment (CDPHE) as Type A or B providers. The payer and the home health entity should agree in writing on the type of care, the type and skill level of provider, frequency of care and duration of care at each visit, and any financial arrangements to prevent disputes.

(1) Home Infusion Therapy

The per day or refill rates for home infusion therapy shall include all reasonable and necessary products, equipment, IV administration sets, supplies, supply management, and delivery services necessary to perform the infusion therapy. Per diem rates are only payable when licensed professionals (RNs) are providing “reasonable and necessary” skilled assessment and evaluation services in the patient’s home.

Skilled Nursing fees are separately payable when the nurse travels to the injured worker’s home to perform initial and subsequent patient evaluation(s), education, and coordination of care.

(a) Parenteral Nutrition:

Code	Quantity	Max Bill Frequency	Daily Rate
S9364	<1 Liter	once per day	\$160.00
S9365	1 liter	once per day	\$174.00
S9366	1.1 - 2.0 liter	once per day	\$200.00
S9367	2.1 - 3.0 liter	once per day	\$227.00
S9368	> 3.0 liter	once per day	\$254.00

The daily rate includes the standard total parenteral nutrition (TPN) formula. Lipids, specialty amino acid formulas, and drugs other than in standard formula are separately payable under section 18-6(C).

- (b) Antibiotic Therapy per day rate by professional + drug cost at Medicare's Average Sale Price (ASP). If ASP is not available, use Average Wholesale Price (AWP) (see section 18-6(C)).

Code	Time	Max Bill Frequency	Daily Rate
S9494	hourly	once per day	\$158.00
S9497	once every 3 hours	once per day	\$152.00
S9500	every 24 hours	once per day	\$97.00
S9501	once every 12 hours	once per day	\$110.00
S9502	once every 8 hours	once per day	\$122.00
S9503	once every 6 hours	once per day	\$134.00
S9504	once every 4 hours	once per day	\$146.00

- (c) Chemotherapy per day rate + drug cost at ASP. If ASP is not available, use AWP.

Code	Description	Max Bill Frequency	Daily Rate
S9329	Administrative Services	once per day	\$0.00
S9330	Continuous (24 hrs. or more) chemotherapy	once per day	\$91.00
S9331	Intermittent (less than 24 hrs.)	once per day	\$103.00

- (d) Enteral nutrition (enteral formula and nursing services are separately payable):

Code	Description	Max Bill Frequency	Daily Rate
S9341	Via Gravity	once per day	\$44.09
S9342	Via Pump	once per day	\$24.23
S9343	Via Bolus	once per day	\$24.23

- (e) Pain Management per day or refill + drug cost at ASP. If ASP is not available, use AWP.

Code	Description	Max Bill Frequency	Daily Rate
S9326	Continuous (24 hrs. or more)	once per day	\$79.00
S9327	Intermittent (less than 24 hrs.)	once per day	\$103.00
S9328	Implanted pump (no separate daily rate)	Per refill	\$116.00/refill. No separate daily rate.

- (f) Fluid Replacement per day rate + drug cost at ASP. If ASP is not available, use AWP.

Code	Quantity	Max Bill Frequency	Daily Rate
S9373	< 1 liter per day	once per day	\$61.00
S9374	1 liter per day	once per day	\$85.00
S9375	>1 but <2 liters per day	once per day	\$85.00
S9376	>2 liters but <3 liters	once per day	\$85.00
S9377	>3 liters per day	once per day	\$85.00

- (g) Multiple Therapies:

Highest cost per day or refill only + drug cost at ASP. If ASP is not available, use AWP.

- (2) Nursing Services are limited to two (2) hours without prior authorization, unless otherwise indicated in the Medical Treatment Guidelines:

Code	Type of Nurse	Max Bill Frequency	Hourly Rate
S9123	RN	2 hrs	\$111.00
S9124	LPN	2 hrs	\$89.00
S9122	CNA	The amount of time spent with the injured worker must be specified in the medical records and on the bill.	\$45.00

(3) Physical medicine procedures are payable at the rates listed in section 18-4(H).

(4) Mileage

The parties should agree upon travel allowances and the mileage rate should not exceed 53 cents per mile, portal to portal. DoWC Z0772.

(5) Travel Time

Travel is typically included in the fees listed. Travel time greater than one (1) hour one-way shall be reimbursed. The fee shall be agreed upon at the time of prior authorization and shall not exceed \$34.68 per hour. DoWC Z0773.

(6) Drugs/Supplies/DME/Orthotics/Prosthetics Used For At-Home Care

As defined in section 18-6(A), any drugs/supplies/DME/Orthotics/Prosthetics considered integral to at-home professional's service are not separately payable.

The maximum fees for non-integral drugs/supplies/DME/Orthotics/Prosthetics used during a professional's home care visits are listed in section 18-6(A). All IV infusion supplies are included in the per diem or refill rates listed in this Rule.

(C) DRUGS AND MEDICATIONS

(1) All medications must be reasonably needed to cure and relieve the injured worker from the effects of the injury. Prior authorization is required for medications "not recommended" in the Medical Treatment Guidelines for a particular diagnosis or if Rules 16 and 17-4(A) apply.

(2) Prescription Writing

(a) This Rule applies to all pharmacies, whether located in- or out-of-state.

(b) Physicians shall indicate on the prescription form that the medication is related to a workers' compensation claim.

(c) All prescriptions shall be filled with bio-equivalent generic drugs unless the physician indicates "Dispense As Written" (DAW) on the prescription. In addition to the Rule 16-requirements, providers prescribing a brand name with a DAW indication shall provide a written medical justification explaining the reasonableness and necessity of the brand name over the generic equivalent.

(d) The provider shall not exceed a 60-day supply per prescription.

(e) Opioids/scheduled controlled substances that are prescribed for treatment lasting longer than 3 days shall be provided through a pharmacy. The prescriber shall comply with applicable provisions of §§ 12-32-107.5, 12-35-114, 12-36-117.6, 12-38-111.6, 12-40-109.5, 12-42.5-404, and other statutes and rules.

- (3) Billing
- (a) Drugs (brand name or generic) shall be reported on bills using the applicable identifier from the National Drug Code (NDC) Directory as published by the Food and Drug Administration (FDA).
 - (b) All parties shall use one (1) of the following forms:
 - (i) CMS-1500 – dispensing provider shall bill by using the metric quantity (number of tablets, grams, or mls) in column 24.G and NDC number of the drug being dispensed or, if one does not exist, the RBRVS supply code. For repackaged drugs, dispensing provider shall list the “repackaged” and the “original” NDC numbers in field 24 of the CMS-1500. The dispensing provider shall list the “repackaged” NDC number of the actual dispensed medication first and the “original” NDC number second, with the prefix ‘ORIG’ appended. Billing providers shall include the units and days supply for all dispensed medications in field 19, example: ‘60UN/30DY.’
 - (ii) With the agreement of the payer, the National Council for Prescription Drug Programs (NCPDP) or ANSI ASC 837 (American National Standards Institute Accredited Standards Committee) electronic billing transaction containing the same information as in (1) or (2) in this sub-section may be used for billing. NCPDP Workers’ Compensation/Property and Casualty (P&C) Universal Claim Form, version 1.1, for prescription drugs billed on paper shall be used by dispensing pharmacies and pharmacy benefit managers.
 - (c) Dispensing provider shall keep a signature on file indicating the injured worker or his/her authorized representative has received the prescription.
- (4) Average Wholesale Price (AWP)
- (a) AWP for brand name and generic pharmaceuticals may be determined through the use of such monthly publications as Red Book Online, or Medispan. In case of a dispute on AWP values for a specific NDC, the parties should take the lower of their referenced published values.
 - (b) If published AWP data becomes unavailable, substitute Wholesale Acquisition Cost (WAC) + 20% for AWP everywhere in this Rule.
- (5) Reimbursement for Prescription Drugs & Medications
- (a) For prescription medications, except topical compounds, reimbursement shall be AWP + \$4.00. If drugs have been repackaged, use the original AWP and NDC that was assigned by the source of the repackaged drugs to determine reimbursement.
 - (b) The entity packaging two or more products together makes an implied claim that the products are safe and effective when used together and shall be billed as individual line items identified by their original AWP and NDC. This original AWP and NDC shall be used to determine reimbursement.

Supplies are considered integral to the package are not separately reimbursable.

- (c) Reimbursement for an opiate antagonist prescribed or dispensed under §§ 12-36-117.7, 12-38-125.5, 12-42.5-120, 13-21-108.7, to an injured worker at risk of experiencing an opiate-related drug overdose event, or to a family member, friend, an employee or volunteer of a harm reduction organization, or other person in a position to assist the injured worker shall be AWP plus \$4.00.
 - (d) Drugs administered in the course of the provider's direct care (injectables) shall be reimbursed at Medicare's Part B Drug Average Sale Price (ASP), unless the ASP value does not exist for the drug or the provider's actual cost exceeds the ASP. In this circumstance, provider may request reimbursement based on the actual cost, after taking into account any discounts/rebates the provider may have received.
 - (e) The provider may bill for the discarded portion of drug from a single use vial or a single use package, appending the JW modifier to the HCPCS Level II code. The provider shall bill for the discarded drug amount and the amount administered to the injured worker on two separate lines. The provider must document the discarded drug in the medical record.
- (6) Prescription Strength Topical Compounds

In order to qualify as a compound under this section, the medication must require a prescription; the ingredients must be combined, mixed, or altered by a licensed pharmacist or a pharmacy technician being overseen by a licensed pharmacist, a licensed physician, or, in the case of an outsourcing facility, a person under the supervision of a licensed pharmacist; and it must create a medication tailored to the needs of an individual patient. All topical compounds shall be billed using the DoWC Z code corresponding with the applicable category as follows:

Category I Z0790, \$81.60 per 30 day supply

Any anti-inflammatory medication or any local anesthetic single agent.

Category II Z0791, \$163.20 per 30 day supply

Any anti-inflammatory agent or agents in combination with any local anesthetic agent or agents.

Category III Z0792, \$270.30 per 30 day supply

Any single agent other than anti-inflammatory agent or local anesthetic, either alone, or in combination with anti-inflammatory or local anesthetic agents.

Category IV Z0793, \$377.40 per 30 day supply

Two (2) or more agents that are not anti-inflammatory or local anesthetic agents, either alone or in combination with other anti-inflammatory or local anesthetic agents.

All ingredient materials must be listed by quantity used per prescription. If the Medical Treatment Guidelines approve some but not all of the active ingredients for a particular diagnosis, the insurer shall count only the number of the approved ingredients to determine the applicable category. In addition, initial prescription containing the approved ingredients shall be reimbursed without a medical review. Continued use (refills) may require documentation of effectiveness including functional improvement.

Category fees include materials, shipping and handling, and time. Regardless of how many ingredients or what type, compounded drugs cannot be reimbursed higher than the Category IV fee. The 30 day Maximum Fee Schedule value shall be fractioned down to the prescribed and dispensed amount given to the injured worker. Automatic refilling is not allowed.

(7) Over-the-Counter Medications

(a) Medications that are available for purchase by the general public without a prescription and listed as over-the-counter in publications such as RedBook Online, or Medispan, are reimbursed at NDC/AWP and are not eligible for dispensing fees. If drugs have been repackaged, use the original AWP and NDC that was assigned by the source of the repackaged drugs to determine reimbursement.

(b) The maximum reimbursement for any topical muscle relaxant, analgesic, anti-inflammatory and/or anti-neuritic medications containing only active ingredients available without a prescription shall be reimbursed at cost to the billing provider up to \$30.00 per 30 day supply for any application (excludes patches). Maximum reimbursement for a patch is cost to the billing provider up to \$70.00 per 30 day supply.

DoWC Z0794 per 30 day supply for any application (excludes patches).

DoWC Z0795 per 30 day supply for patches.

See subsection (6) for prescription-strength topicals and patches.

(8) Dietary Supplements, Vitamins and Herbal Medicines

Reimbursement for outpatient dietary supplements, vitamins and herbal medicines is authorized only by prior agreement of the payer or if specifically indicated in the Medical Treatment Guidelines. The reimbursement shall be at cost to the injured worker (see subsection (9) below).

(9) Injured Worker Reimbursement

In the event the injured worker has directly paid for authorized medications, the payer shall reimburse the injured worker for the amounts actually paid for authorized prescriptions or authorized over-the-counter drugs within 30 days after submission of the injured worker's receipt. See Rule 16.

(D) COMPLEMENTARY_INTEGRATIVE MEDICINE

Complementary integrative medicine describes a broad range of treatment modalities, some of which are generally accepted in the medical community and others that remain

outside the accepted practice of conventional western medicine. Non-physician providers of complementary integrative medicine that are not listed in Rule 16 must have completed training in one (1) or more forms of therapy and certified by the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) in Chinese herbology.

(E) MEDICAL TRANSPORTATION

(1) Fee Schedule:

The fee schedule for medical transportation consists of a base rate and a payment for mileage. Both the transport of the injured worker to the nearest facility and all items and services associated with such transport are included in the base rate and mileage rate.

(2) General Claims Submission:

- (a) All hospitals billing for ground or air ambulance services shall bill on the UB-04. All other providers shall bill on the CMS-1500.
- (b) Providers shall use HCPCS codes and origin/destination modifiers.
- (c) Providers shall list their name, complete address and NPI number.
- (d) Providers shall list the zip code for the origin (point of pickup) in Item 23 of the CMS-1500 or FL 39-41 of the UB-04 with an "AO" code. If billing for multiple trips and the zip code for each origin is the same, services can be submitted on the same claim. If the zip codes are different, a separate claim must be submitted for each trip.

(3) Ground Ambulance Services Billing Codes and Fees:

The selection of the base code is based upon the condition of the injured worker at the time of transport, not the vehicle used and includes services and supplies used during the transport.

HCPCS	Base Rate	URBAN BASE RATE/ URBAN MILEAGE	RURAL BASE RATE/ RURAL MILEAGE	RURAL BASE RATE/ LOWEST QUARTILE	RURAL GROUND MILES
A A0425	\$18.50	\$18.88	\$19.05	n/a	\$28.58
A0426	\$574.78	\$712.40	\$719.38	\$881.95	n/a
A0427	\$574.78	\$1,127.95	\$1,139.00	\$1,396.43	n/a
A0428	\$574.78	\$593.65	\$599.48	\$734.95	n/a
A0429	\$574.78	\$949.85	\$959.18	\$1,175.95	n/a
A0432	\$574.78	\$1,038.90	\$1,049.08	n/a	n/a
A0433	\$574.78	\$1,632.55	\$1,648.58	\$2,021.15	n/a
A0434	\$574.78	\$1,929.38	\$1,948.30	\$2,388.63	n/a

base rate(s) and mileage rate(s) shall apply to all relevant/applicable ambulance services unless the zip code range area is "Rural" or "Super Rural." Medicare MSA zip code grouping is listed on Medicare's webpage with an "R" indicator for "Rural"

and “B” indicator for “Super Rural.” See Medicare’s Zip Code to Carrier Locality File, updated May 15, 2019, available at <https://www.cms.gov>.

(4) Non-Emergent Medical Transportation Billing Codes:

The payer shall reimburse for non-emergent medical transportation of the injured worker to and from reasonable and necessary medical services. The payment shall be for the least expensive means appropriate for the injured worker’s condition.

Billing Code	Billing Code Description	Unit
A0130	Wheelchair Van Base Rate	One Way Trip
S0209	Wheelchair Van Mileage	Per Mile
T2005	Stretcher Van Base Rate	One Way Trip
T2049	Stretcher Van Mileage	Per Mile
A0120	Mobility Van Base Rate	One Way Trip

(5) Modifiers

Modifiers identify place of origin and destination of the trip. The modifier is to be placed next to the HCPCS code billed. The following is a list of current modifiers. Each of the modifiers may be utilized to make up the first and/or second half of a two-letter modifier. The first letter must describe the origin of the transport, and the second letter must describe the destination (Example: if a patient is picked up at his/her home and transported to the hospital, the modifier to describe the origin and destination would be RH).

Code	Description
D	Diagnostic or therapeutic site other than “P” or “H”
E	Residential, domiciliary, custodial facility, nursing home other than a skilled nursing facility
G	Hospital-based dialysis facility (hospital or hospital-related) which includes: - Hospital administered/Hospital located - Non-Hospital administered/Hospital located
GM	Multiple patients on one ambulance trip
H	Hospital
I	Site of transfer (i.e., airport, ferry, or helicopter pad) between modes of ambulance transport

J	Non-hospital-based dialysis facility - Hospital administered/Hospital located - Non-Hospital administered/Hospital located
N	Skilled Nursing Facility
P	Physician's Office (includes non-hospital facility, clinic, etc.)
QL	Patient pronounced dead after ambulance called.
QM	Ambulance service under arrangement by a provider of service
QN	Ambulance service furnished directly by a provider of service.
R	Residence
S	Scene of Accident or Acute Event
X	Destination Code Only (Intermediate stop at physician's office en route to the hospital, includes non-hospital facility, clinic, etc.)

(6) Mileage

Charges for mileage must be based on loaded mileage only, i.e., from the pickup of a patient to his/her arrival at the destination. The miles billed must be in whole numbers. If a trip has a fraction of a mile, round up to the nearest whole number.

18-7 DIVISION ESTABLISHED CODES AND VALUES

(A) FACE-TO-FACE OR TELEPHONIC MEETINGS

- (1) Face-to-face or telephonic meeting by a treating physician (as defined by Rule 16 or a psychologist (PsyD, PhD, or EdD) with an employer, claim representative, or any attorney, and with or without the injured worker. Claim representatives include physicians or other qualified medical personnel performing payer-initiated medical treatment reviews, but this Rule does not apply to provider-initiated requests for prior authorization. The physician or psychologist may bill for the time spent attending the meeting and preparing the report (no travel time or mileage is separately payable). The fee includes the cost of the report for all parties, including the injured worker.

Before a meeting is separately payable, the following requirements must be met:

- (a) Each meeting (including the time to document) shall be a minimum of 8 minutes.
- (b) A report or written record signed by the physician is required and shall include the following:
- (i) Who was present at the meeting and their role at the meeting;
 - (ii) Purpose of the meeting;

- (iii) A brief statement of recommendations and actions at the conclusion of the meeting;
 - (iv) Documented time (both start and end times).
- (c) DoWC Z0701, \$43.35, is payable in 8-minute increments. The CPT® mid-point rule for attaining a unit of time does not apply to this code. The physician or psychologist may bill multiple units of this code per date of service.
- (d) For reimbursement to qualified non-physician providers for coordination of care with medical professionals, see section 18-4(H).
- (2) Face-to-face or telephonic meeting by a non-treating physician with the employer, claim representatives or any attorney in order to provide a medical opinion on a specific workers' compensation case, which is not accompanied by a specific report or written record.

DoWC Z0601, \$75.48 per 15 minutes billed to the requesting party.

- (3) Face-to-face or telephonic meeting by a non-treating physician with the employer, claim representatives or any attorney to provide a medical opinion on a specific workers' compensation case, which is accompanied by a report or written record, shall be billed as a special report (see section 18-6(G)(4)).
- (4) Peer-to-peer review by a treating physician with a medical reviewer, following the treating physician's complete prior authorization request pursuant to Rule 16.

DoWC Z0602, \$75.48 per 15 minutes billed to the requesting party.

(B) CANCELLATION FEES FOR PAYER-MADE APPOINTMENTS

- (1) A cancellation fee is payable only when a payer schedules an appointment the injured worker fails to keep, and the payer has not canceled three (3) business days prior to the appointment.

The payer shall pay one-half of the usual fee for the scheduled services, or \$183.60, whichever is less:

DoWC Z0720. The provider shall indicate the code corresponding to the service that has been cancelled in Box 19 of the CMS-1500 form or electronic billing equivalent.

For payer-made appointments scheduled for four (4) hours or longer, the payer shall pay one-half of the usual fee for the scheduled service.

DoWC Z0740. The provider shall indicate the code corresponding to the service that has been cancelled in Box 19 of the CMS-1500 form or electronic billing equivalent.

- (2) Missed Appointments:

When claimants fail to keep scheduled appointments, the provider should contact the payer within two (2) business days. Upon reporting the missed appointment, the provider may inquire if the payer wishes to reschedule the appointment for the

claimant. If the claimant fails to keep the payer's rescheduled appointment, the provider may bill for a cancellation fee according to this section.

(C) COPYING FEES

The payer, payer's representative, injured worker and injured worker's representative shall pay a reasonable fee for the reproduction of the injured worker's medical record. If the requester and provider agree, the copy may be provided on a disc. If the requester and provider agree and appropriate security is in place, including, but not limited to, compatible encryption, the copies may be submitted electronically. Requester and provider should attempt to agree on a reasonable fee. Absent an agreement to the contrary, the fee shall be \$0.10 per page. Copying charges do not apply for the initial submission of records that are part of the required documentation for billing.

Copying Fee Billing Codes and Maximum Fees:

DoWC Z0721, \$18.53 for first 10 or fewer paper page(s), including faxed documents

DoWC Z0725, \$0.85 per paper page for the next 11-40 paper page(s), including faxed documents

DoWC Z0726, \$0.57 per paper page for remaining paper page(s), including faxed documents

DoWC Z0727, \$1.50 per microfilm page

DoWC Z0728, \$14.00 per computer disc or as agreed

DoWC Z0729, \$0.10 per electronic page or as agreed

DoWC Z0802 actual postage paid

(D) DEPOSITION AND TESTIMONY FEES

- (1) When requesting deposition or testimony from physicians or any other type of provider, guidance should be obtained from the Interprofessional Code, prepared by the Colorado Bar Association, the Denver Bar Association, the Colorado Medical Society, and the Denver Medical Society. If the parties cannot agree upon lesser fees for the deposition or testimony services, or cancellation time periods and/or fees, the deposition and testimony rules and fees listed below shall be used.

If a party shows good cause to an Administrative Law Judge (ALJ) for exceeding the Maximum Fee Schedule, that ALJ may allow a greater fee.

- (2) By prior agreement, the provider may charge for preparation time for a deposition or testimony, for reviewing and signing the deposition or for preparation time for testimony.

Preparation Time:

Treating or non-treating physician as defined by Rule 16 or psychologist (PsyD, PhD, or EdD):

DoWC Z0730, \$187.00, billed in half-hour increments. Other providers shall be paid 85% of this fee.

(3) Deposition:

Payment for testimony at a deposition shall not exceed \$187.00, billed in half-hour increments, for a treating or non-treating physician as defined by Rule 16 or a psychologist (PsyD, PhD, or EdD). DoWC Z0734, calculating the provider's time from "portal to portal." Other providers shall be paid 85% of this fee.

If requested, the provider is entitled to a full hour deposit in advance in order to schedule the deposition.

If the provider is notified of the cancellation of the deposition at least ten (10) days prior to the scheduled deposition, the provider shall be paid the number of hours s/he has reasonably spent in preparation, less any deposit paid by the deposing party. DoWC Z0731, \$187.00, in half-hour increments.

If the provider is notified less than ten (10) days in advance of a cancellation or rescheduling, or the deposition is shorter than the time scheduled, the provider shall be paid the number of hours s/he has reasonably spent in preparation and has scheduled for the deposition. DoWC Z0733, \$187.00, in half-hour increments.

(4) Testimony:

Treating or non-treating physician as defined by Rule 16 or psychologist (PsyD, PhD, or EdD):

DoWC Z0738, \$259.00, billed in half-hour increments. Other providers shall be paid 85% of this fee.

Calculation of the provider's time shall be "portal to portal" (includes travel time and mileage in both directions).

For testifying at a hearing, if requested, the provider is entitled to a four (4) hour deposit in advance in order to schedule the testimony.

If the provider is notified of the cancellation of the testimony at least ten (10) days prior to the scheduled testimony, the provider shall be paid the number of hours s/he has reasonably spent in preparation, less any deposit paid by the requesting party. DoWC Z0735, \$259.00, in half-hour increments.

If the provider is notified less than ten (10) days in advance of a cancellation or rescheduling, or the testimony is shorter than the time scheduled, the provider shall be paid the number of hours s/he has reasonably spent in preparation and has scheduled for the testimony. DoWC Z0737, \$259.00, in half-hour increments.

(E) INJURED WORKER TRAVEL EXPENSES

The payer shall reimburse the injured worker for reasonable and necessary mileage expenses for travel to and from medical appointments. The injured worker shall submit a

request to the payer showing the date(s) of travel and mileage, and explain any other reasonable and necessary travel expenses incurred or anticipated. The number of miles shall be in whole numbers and calculated using the most direct route available on the date of service. If a trip has a fraction of a mile, round up to the nearest whole number.

Mileage Expense: DoWC Z0723, 53 cents per mile

Other Travel Expenses: DoWC Z0724, actual paid

(F) PERMANENT IMPAIRMENT RATING

(1) The payer is only required to pay for one (1) combined whole-person permanent impairment rating per claim, except as otherwise provided in the Workers' Compensation Rules of Procedures. Exceptions that may require payment for an additional impairment rating include, but are not limited to, reopened cases, as ordered by the Director or an Administrative Law Judge, or a subsequent request to review apportionment. The ATP is required to submit in writing all permanent restrictions and future maintenance care related to the injury or occupational disease.

(2) Provider Restrictions

The Level II accredited authorized treating physician (see Rule 5) shall determine the permanent impairment rating.

(3) Maximum Medical Improvement (MMI) Determined Without any Permanent Impairment

If a physician determines the injured worker is at MMI and has no permanent impairment, the physician should be reimbursed for the examination at the appropriate level of E&M service. The authorized treating physician (generally the designated or selected physician) managing the total workers' compensation claim of the patient should complete the Physician's Report of Workers' Compensation Injury (Closing Report), WC 164 (see section 18-6(G)(2)).

(4) MMI Determined with a Calculated Permanent Impairment Rating

(a) Calculated Impairment: The total fee includes the office visit, a complete physical examination, complete history, review of all medical records except when the amount of medical records is extensive (see below), determining MMI, completing all required measurements, referencing all tables used to determine the rating, using all report forms from the AMA's Guide to the Evaluation of Permanent Impairment, Third Edition (Revised), (AMA Guides), and completing the Physician's Report of Workers' Compensation Injury (Closing Report) WC 164.

Extensive medical records take longer than one (1) hour to review and a separate report is created. The separate report must document each record reviewed, specific details of the records reviewed and the dates represented by the records reviewed. The separate record review can be billed under special reports for written reports only and requires prior authorization and agreement from the payer for the separate record review fees.

- (b) DoWC codes:
 - (i) DoWC Z0759, \$586.00, for the Level II Accredited Authorized Treating Physician Providing Primary Care.
 - (ii) DoWC Z0760, \$790.00, for the Referral, Level II Accredited Authorized Physician (the claimant is not a previously established patient to that physician for that workers' compensation injury).
 - (iii) A return visit for a range of motion (ROM) validation shall be billed with the appropriate code in the Medicine Section of CPT®.
 - (iv) Multiple Impairment Evaluation Requiring More Than One Level II Accredited Physician:

All physicians providing consulting services for the completion of a whole person impairment rating shall bill using the appropriate E&M consultation code and shall forward their portion of the rating to the authorized physician determining the combined whole person rating.

(G) REPORT PREPARATION

(1) Routine Reports

Providers shall submit routine reports free of charge as directed in Rule 16 and by statute. Requests for additional copies of routine reports and for reports not in Rule 16 or statute are reimbursable under the copying fee section of this Rule. Routine reports include:

- (a) Diagnostic testing
- (b) Procedure reports
- (c) Progress notes
- (d) Office notes
- (e) Operative reports
- (f) Supply invoices, if requested by the payer

(2) Completion of the Physician's Report of Workers' Compensation Injury

(a) Initial Report WC 164

The authorized treating physician (ATP) (generally the designated physician) or emergency department/urgent care physician when applicable shall complete the first report of injury. Items 1-7 and 11 must be complete, however item 2 may be omitted if not known by the provider. If completed by a PA or NP, the ATP must countersign the form.

DoWC Z0750 Initial Report \$50.00

(b) Closing Report WC 164

The ATP managing the workers' compensation claim must complete the WC 164 closing report when the injured worker is at maximum medical improvement (MMI) for all covered injuries or diseases, with or without a permanent impairment. Items 1-5, 6 B-C, and 7-11 must be complete. If completed by a PA or NP, the ATP must countersign the form.

DoWC Z0752 Closing Report \$50.00

If the injured worker has sustained a permanent impairment, the following additional information must be attached to the bill when MMI is determined:

- (i) All necessary permanent impairment rating reports, medical reports and narrative relied upon by the ATP, when the ATP managing the workers' compensation claim of the patient is Level II Accredited; or
 - (ii) The name of the Level II Accredited Physician requested to perform the permanent impairment rating when a rating is necessary and the ATP managing the workers' compensation claim is not determining the permanent impairment rating.
- (c) Initial and Closing Report WC 164 completed on the same form for the same date of service: DoWC Z0753 \$50.00
- (d) Progress Report WC 164

Any request from the payer or the employer for the information provided on this form is deemed authorization for payment. The provider shall document who requested the WC 164, complete items 1, 2, 4-7, and 11, and send it to all parties within three business days of the request. If completed by a PA or NP, the ATP must countersign the form.

DoWC Z0751 Progress Report \$50.00

(3) Form Completion

The requesting party shall pay for its request for physician to complete additional forms requiring 15 minutes or less, including forms sent by a payer or an employer. This code also may be billed when completing the requirements outlined in § 8-43-404(10)(a) or Desk Aid 15 for a non-medical discharge.

DoWC Z0754 Form Completion \$50.00

(4) Special Reports

The term special report includes any form, questionnaire, letter or report with variable content not otherwise addressed in Rules. Examples include:

- (a) treating or non-treating medical reviewers or evaluators producing written reports pertaining to injured workers not otherwise addressed,
- (b) meeting with and reviewing another provider's written record, and amending or signing that record.

Billable Hours: Because narrative reports may have variable content, the content and total payment shall be agreed upon by the provider and the report's requester before the provider begins the report.

Advance Payment: If requested, the provider is entitled to a two (2) hour deposit in advance in order to schedule a patient exam associated with a special report.

DoWC Z0755 Written Report, \$93.50 billable in 15 minute increments

DoWC Z0757 Lengthy Form, \$93.50 billable in 15 minute increments

DoWC Z0758 Meeting and Report with Non-treating Physician, \$93.50 billable in 15 minute increments

In cases of cancellation for those special reports not requiring a scheduled patient exam, the provider shall be paid for the time s/he has reasonably spent in preparation up to the date of cancellation.

DoWC Z0761 Report Preparation with Cancelled Patient Exam, \$93.50 billable in 15 minute increments

(5) Independent Medical Examinations:

RIME: Respondent-requested Independent Medical Examination

DoWC Z0756 RIME Report with patient exam, \$93.50 billable in 15 minute increments

Section 8-43-404 requires RIMEs to be recorded in audio in their entirety and retained by the examining physician for 12 months and made available by request to any party to the case.

DoWC Z0766 RIME Audio Recording, \$35.00 per exam

DoWC Z0767 RIME Audio Copying Fee, \$24.00 per copy

CIME: Claimant-requested Independent Medical Examination, \$93.50 billable in 15 minute increments to the injured worker, DoWC Code Z0770

DIME: Division Independent Medical Examination - see Rule 11

All IME reports must be served concurrently to all parties no later than 20 calendar days after the examination.

Cancellations:

In cases of a cancelled or rescheduled RIME or CIME, the provider shall be paid the following fees:

If the provider is notified of the cancellation of the RIME or CIME at least ten (10) business days prior to the scheduled examination, the provider shall be paid the number of hours s/he has reasonably spent in preparation, less any deposit paid by the requesting party. DoWC Z0762, \$93.50 billable in 15 minute increments.

If the provider is notified less than ten (10) business days in advance of a cancelled or rescheduled RIME or CIME, the provider shall be paid the number of hours s/he has reasonably spent in preparation and has scheduled for the examination. DoWC Z0763, \$93.50 billable in 15 minute increments.

(H) USE OF AN INTERPRETER

Rates and terms shall be negotiated. Prior authorization is required except for emergency treatment. DoWC Z0722.

18-8 DENTAL FEE SCHEDULE

The dental fee schedule is adopted using the American Dental Association’s Current Dental Terminology, 2019 (CDT® 2019). However, surgical treatment for dental trauma and subsequent related procedures shall be billed using medical codes from the RBRVS. If billed using RBRVS, reimbursement shall be in accordance with the values listed in the Surgery/Anesthesia section and the corresponding CF. See Exhibit #6 for the listing and Maximum Fee Schedule value for CDT® 2019 dental codes.

Regarding prosthetic appliances, the provider may bill and be reimbursed for 50% of the allowed fee at the time the master casts are prepared for removable prosthodontics or the final impressions are taken for fixed prosthodontics. The remaining 50% may be billed on insertion of the final prosthesis.

18-9 QUALITY INITIATIVES

(A) OPIOID MANAGEMENT

- (1) Codes and maximum fees are payable to the prescribing ATP for a written report with all the following opioid review services completed and documented:
 - (a) ordering and reviewing drug tests for subacute or chronic opioid management;
 - (b) ordering and reviewing Colorado Prescription Drug Monitoring Program (PDMP) results;
 - (c) reviewing the medical records;
 - (d) reviewing the injured worker’s current functional status;
 - (e) evaluating the risk of misuse and abuse initially and periodically; and
 - (f) determining what actions, if any, need to be taken.

In determining the prescribed levels of medications, the ATP shall review and integrate the drug screening results required for subacute and chronic opioid management, as appropriate; the PDMP and its results; an evaluation of compliance with treatment and risk for addiction or misuse; as well as the injured worker’s past and current functional status. A written report also must document the treating physician’s assessment of the patient’s past and current functional status of work, leisure, and activities of daily living.

The patient should initially and periodically be evaluated for risk of misuse or addiction. The ATP may consider whether the injured worker experienced an opiate-related drug overdose event that resulted in an opiate antagonist being prescribed or dispensed pursuant to §§ 12-36-117.7, 12-38-125.5, 12-42.5-120, or 13-21-108.7. If the patient is deemed to be at risk for an opiate overdose, an opioid antagonist may be prescribed (see section 18-6(C)(5)(c)).

Opioid Management Billing Codes:

Acute Phase:	DoWC Z0771, \$85.00, per 15 minutes, maximum of 30 minutes per report
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Subacute/Chronic Phase: DoWC Z0765, \$85.00, per 15 minutes, maximum of 30 minutes per report

- (2) Definitions:
 - (a) Acute opioid use refers to the prescription of opioid medications (single or multiple) for duration of 30 days or less for non-traumatic injuries, or 6 weeks or less for traumatic injuries or post-operatively.
 - (b) Subacute opioid use refers to the prescription of opioid medications for longer than 30 days for non-surgical cases and longer than 6 weeks for traumatic injuries or post-operatively.
 - (c) Chronic Opioid use refers to the prescription of opioid medications for longer than 90 days.
- (3) Acute opioid prescriptions generally should be limited to three (3) to seven (7) days and 50 morphine milliequivalents (MMEs) per day. Providers considering repeat opioid refills at any time during treatment are encouraged to perform the actions in this section and bill accordingly.
- (4) When the ATP prescribes long-term opioid treatment, s/he shall comply with the Division's Chronic Pain Disorder Medical Treatment Guideline (Rule 17, Exhibit #9), and review the Colorado Medical Board Policy #40-26, "Policy for Prescribing and Dispensing Opioids."
- (5) Urine drug tests are required for subacute and chronic opioid management and shall employ testing methodologies that meet or exceed industry standards for sensitivity, specificity, and accuracy. The test methodology must be capable of identifying and quantifying the parent compound and relevant metabolites of the opioid prescribed. In-office screening tests designed to screen for drugs of abuse are not appropriate for subacute or chronic opioid compliance monitoring. Refer to section 18-4(F)(4) for clinical drug screening testing codes and values.
 - (a) Drug testing shall be done prior to the initial long-term drug prescription being implemented and randomly repeated at least annually.
 - (b) While the injured worker is receiving opioid management, additional drug screens with documented justification may be conducted. Examples of documented justification include:
 - (i) Concern regarding the functional status of the patient;
 - (ii) Abnormal results on previous testing;
 - (iii) Change in management of dosage or pain; and
 - (iv) Chronic daily opioid dosage above 50 MMEs.

(B) FUNCTIONAL ASSESSMENTS

- (1) Pre-and post-injection assessments by a trained physician, nurse, physician's assistant, occupational therapist, physical therapist, chiropractor or a medical assistant may be billed with spinal or sacroiliac (SI) joint injection codes. The following three (3) elements are required:

- (a) A brief commentary on the procedures, including the anesthesia used in the injection and verification of the needle placement by fluoroscopy, CT or MRI.
- (b) Pre-and post-injection procedure shall have at least three (3) objective, diagnostically appropriate, functional measures identified, measured and documented. These may include spinal range of motion; tolerance and time limits for sitting, walking and lifting; straight leg raises for herniated discs; a variety of provocative SI joint maneuvers such as Patrick's sign, Gaenslen, distraction or gapping and compression tests. Objective descriptions, preferably with measurements, shall be provided initially and post procedure at the appropriate time for medication effect, usually 30 minutes post procedure.
- (c) There shall be a trained physician or trained non-physician health care professional detailed report with a pre- and post-procedure pain diagram, normally using a 0-10 point scale. The patient(s) should be instructed to keep a post-injection pain diary that details the patient's pain level for all pertinent body parts, including any affected limbs. The patient pain diary should be kept for at least eight (8) hours post injection and preferably up to seven (7) days. The patient should be encouraged to also report any changes in activity level post injection.

- (2) If all three (3) elements are documented, the billing codes and maximum fees are as follows:

DOWC Z0811, \$63.00, per episode for the initial functional assessment of pre-injection care, billed with the appropriate E&M code, related to spinal or SI joint injections.

DOWC Z0812, \$34.60, for a subsequent visit of therapeutic post-injection care (preferably done by a non-injectionist and at least seven (7) days after the injection), billed along with the appropriate E&M code, related to follow-up care of spinal or SI joint injections. The injured worker should provide post injection pain data, including a pain diary.

DOWC Z0814, \$34.60, for post-diagnostic injection care (repeat functional assessment within the time period for the effective agent given).

(C) QUALITY PERFORMANCE AND OUTCOMES PAYMENTS (QPOP)

- (1) Medical providers who are Level I or II accredited, or who have completed the Division-sponsored Level I or II accreditation program and have successfully completed the QPOP training may bill separately for documenting functional progress made by the injured worker. The medical providers must utilize both a Division-approved psychological screen and a Division-approved functional tool. The psychological screen and the functional tool are approved by the Division and are validated for the specific purpose for which they have been created. The medical provider also must document whether the injured worker's perception of function correlates with clinical findings. The documentation of functional progress should assist the provider in preparing a successful plan of care, including specific goals and expected time frames for completion, or for modifying a prior plan of care. The documentation must include:

- (a) Specific testing that occurred, interpretation of testing results, and the weight given to these results in forming a reasonable and necessary plan of care;
- (b) Explanation of how the testing goes beyond the evaluation and management (E&M) services typically provided by the provider;
- (c) Meaningful discussion of actual or expected functional improvement between the provider and the injured worker.

(2) Billing codes and maximum fees:

DOWC Z0815, \$81.60, for the initial assessment during which the injured worker provides functional data and completes the validated psychological screen, which the provider considers in preparing a plan of care. This code also may be used for the final assessment that includes review of the functional gains achieved during the course of treatment and documentation of MMI.

DOWC Z0816, \$40.80, for subsequent visits during which the injured worker provides follow-up functional data that could alter the treatment plan. The provider may use this code if the analysis of the data causes him or her to modify the treatment plan. The provider should not bill this code more than once every two (2) to four (4) weeks.

- (3) QPOP for post-MMI patients requires prior authorization based on clearly documented functional goals.

(D) PILOT PROGRAMS

Payers may submit a proposal to conduct a pilot program(s) to the Director for approval. Pilot programs authorized by this Rule shall be designed to improve quality of care, determine the efficacy of clinic or payment models, and to provide a basis for future development and expansion of such models.

The proposal for a pilot program shall meet the minimum standards set forth in § 8-43-602 and shall include:

- (1) beginning and end date for the pilot program.
- (2) population to be managed (e.g. size, specific diagnosis codes).
- (3) provider group(s) participating in the program.
- (4) proposed codes and fees.
- (5) process for evaluating the program's success.

Participating payers must submit data and other information as required by the Division to examine such issues as the financial implications for providers and patients, enrollment patterns, utilization patterns, impact on health outcomes, system effects and the need for future health planning.

18-10 INDIGENCE STANDARDS

- (A) A person shall be found to be indigent for purposes of Rule 11-12 only if:
 - (1) income is at or below eligibility guidelines with liquid assets of \$1,500 or less; or

- (2) income is up to 25% above the eligibility guidelines, liquid assets equal \$1,500 or less, and the claimant's monthly expenses equal or exceed monthly income; or,
- (3) "extraordinary circumstances" exist which merit a determination of indigence.

(B) Income Eligibility Guidelines:

Family Size	Monthly income guidelines	Monthly income guideline plus 25%
1	\$1,301	\$1,626
2	\$1,761	\$2,202
3	\$2,222	\$2,777
4	\$2,682	\$3,353
5	\$3,143	\$3,928
6	\$3,603	\$4,504
7	\$4,064	\$5,079
8	\$4,524	\$5,655

*For family units with more than eight members, add \$460 per month for "monthly income" or \$5,525, per year for "yearly income" for each additional family member.

- (1) Income is gross income from all members of the household who contribute monetarily to the common support of the household.
- (2) Liquid assets include cash on hand or in accounts, stocks, bonds, certificates of deposit, equity and personal property or investments which could readily be converted into cash without jeopardizing the applicant's ability to maintain home and employment. "Liquid assets" exclude any equity in any vehicle which the injured worker or his/her family must use for essential transportation unless the ALJ makes an affirmative finding of fact that the worker is credit worthy, can borrow against the equity in this vehicle, and can afford to pay back a loan without compromising food, clothing, shelter, and transportation needs.
- (3) Expenses for nonessential items such as cable television, club memberships, entertainment, dining out, alcohol, cigarettes, etc. shall not be included.

18-11 LIST OF EXHIBITS

Exhibit #1 – MS-DRG Relative Weights

Exhibit #2 - Hospital Base Rates and Cost to Charge Ratios (CCRs)

Exhibit #3 - Critical Access Hospitals

Exhibit #4 - Hospital and ASC APCs

Exhibit #5 - Rural Health Clinics

Exhibit #6 - Dental Fee Schedule

Exhibit #7 - Evaluation and Management (E&M)

Exhibit #8 - Clinical Lab