NOTICE OF PROPOSED RULE

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers’ Compensation

RULE NO.: RULE TITLE:

69L-7.020 Florida Workers’ Compensation Health Care Provider Reimbursement Manual

PURPOSE AND EFFECT: The proposed rule amendment will adopt the most recent editions of the following copyrighted materials: (1) Florida Workers’ Compensation Health Care Provider Reimbursement Manual, 2024 Edition; (2) Current Procedural Terminology (CPT®), 2024 Professional Edition; (3) CDT 2024 Current Dental Terminology; (4) in part for D codes and for injectable J codes, and other medical services and supply codes, the Optum 2024 HCPCS Level II, Professional, A resourceful compilation of HCPCS codes; (5) the CPT® Assistant 2024; (6) the Optum 2024 ICD-10-CM, Professional for Physicians: The Complete Official Code Set; and (7) the 2024 Relative Value Guide®, A Guide for Anesthesia Values.

SUMMARY: The proposed rule will update the HCP RM and other incorporated materials.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The agency has determined that this rule will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of $200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department’s economic review for this rulemaking.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY (formerly “Specific Authority”): 440.13, 440.591, FS.

LAW IMPLEMENTED: 440.13, FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: November 15, 2024, 10:00 am to 11:00 am.

PLACE: PLACE: By GoToMeeting: Please join my meeting from your computer, tablet or smartphone. https://global.gotomeeting.com/join/626020717

You can also dial in using your phone. United States (Toll Free): 1(866)899-4679, United States: (571)317-3116, Access Code: 626-020-717

Join from a video-conferencing room or system. Dial in or type: 67.217.95.2 or inroomlink.goto.com, Meeting ID: 626 020 717 or dial directly: 626020717@67.217.95.2 or 67.217.95.2##626020717.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advice the agency at least 5 days before the workshop/meeting by contacting: Charlene Miller, Bureau Chief, Division of Workers’ Compensation, 200 E. Gaines Street, Tallahassee, FL 32399, (850) 413-1738, Charlene.Miller@myfloridacfo.com.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Charlene Miller, Bureau Chief, Division of Workers’ Compensation, 200 E. Gaines Street, Tallahassee, FL 32399, (850) 413-1738, Charlene.Miller@myfloridacfo.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

[**69L-7.020**](http://www.flrules.com/gateway/ruleNo.asp?id=69L-7.020) **Florida Workers’ Compensation Health Care Provider Reimbursement Manual.**

(1) The Florida Workers’ Compensation Health Care Provider Reimbursement Manual, 2024 ~~2020~~ Edition (HCP RM)~~, to become effective July 1, 2022~~, is incorporated by reference as part of this rule. The HCP RM ~~contains the Maximum Reimbursement Allowances (MRAs) determined by the Three-Member Panel, pursuant to section 440.13(12), F.S., and~~ establishes reimbursement policies, guidelines, and procedures ~~codes, and MRAs~~ for services provided by health care providers. Also, the HCP RM includes reimbursement policies and payment methodologies for pharmacists and medical suppliers. The policies and procedures in the HCP RM are in addition to the requirements and responsibilities established throught rule Chapter 69L-7, F.A.C., Workers’ Compensation Medical Reimbursement and Utilization Review.

(2) The Current Procedural Terminology (CPT®), 2024 ~~2020~~ Professional Edition, Copyright 2023 ~~2019~~, American Medical Association; the CDT 2024 ~~2020~~, Current Dental Terminology ~~Dental Procedure Codes~~, Copyright 2024 ~~2020~~, American Dental Association; in part, for D codes and for injectable J codes, and for other medical services and supply codes, the Optum 2024 HCPCS Level II, Professional ~~2020~~ ~~edition~~, A resourceful compilation of HCPCS codes, ~~American Medical Association,~~ Copyright 2023 ~~2020~~, Optum 360, LLC ~~Elsevier Inc.~~; the CPT® Assistant 2024 ~~2020~~, American Medical Association, Copyright 2023 ~~2019~~; ~~and~~ the Optum 2024 ICD-10-CM, Professional for Physicians ~~2020~~: The Complete Official Code Set, ~~The Complete Official Codebook, American Medical Association,~~ Copyright 2023 ~~2019~~, Optum360, LLC; and the 2024 Relative Value Guide®, A Guide for Anesthesia Values, Copyright 2023, American Society of Anesthesiologists, are incorporated by reference as part of this rule. A copy of the American Medical Association reference materials may be obtained from the American Medical Association’s website at https://commerce.ama-assn.org/store/. A copy of the CDT reference material may be obtained from the American Dental Association’s website at https://www.ada.org/en/publications/ada-catalog.

(3) The Department has determined that posting the copyrighted materials in subsections (1) and (2) above on the Internet would constitute a violation of federal copyright law. These copyrighted materials are available for public inspection and examination, but may not be copied, during normal business hours at: (a) the Florida Department of Financial Services, Division of Workers’ Compensation, Bureau of Monitoring and Audit, 1579 Summit Lake Drive, Tallahassee, Florida 32317; or (b) the Florida Department of State, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250. In addition, the HCP RM may be obtained via the Department’s Division of Workers’ Compensation website at https://www.myfloridacfo.com/Division/wc/.

*Rulemaking Authority 440.13~~(13)(b)~~, 440.591 FS. Law Implemented 440.13~~(7), (12), (13)(b)~~ FS. History–New 10-1-82, Amended 3-16-83, 11-6-83, 5-21-85, Formerly 38F-7.20, Amended 4-1-88, 7-20-88, 6-1-91, 4-29-92, 2-18-96, 9-1-97, 12-15-97, 9-17-98, 9-30-01, 7-7-02, Formerly 38F-7.020, 4L-7.020, Amended 12-4-03, 1-1-04, 7-4-04, 5-9-05, 9-4-05, 11-16-06, 10-18-07, 2-4-09, 7-1-16, 7-1-17, 7-1-23, 1-1-25.***Editorial Note:** Ratified by Ch. 2016-203, LOF, Ch. 2023-144, LOF.

NAME OF PERSON ORIGINATING PROPOSED RULE: Charlene Miller, Bureau Chief

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jimmy Patronis, Chief Financial Officer

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 24, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 22, 2024