

LWC's Office of Workers' Compensation issues 2nd emergency rule

As concerns over the health and wellbeing of injured workers increase as a result of COVID-19 (novel coronavirus) the Louisiana Workforce Commission (LWC), Office of Workers' Compensation Administration remains vigilant in its effort to ensure that injured workers receive the medical attention their injury warrants under the Louisiana Workers' Compensation Act.

To that end, the LWC issued an emergency rule on Thursday, April 3, 2020 to be effective from 12:01am April 3, 2020 and shall remain in effect for the maximum time period allowed under the Administrative Procedure Act or for the period of the Governor's Stay-at-Home Order, whichever shall end first. The Emergency Rule can be found at: <https://www.doa.la.gov/Pages/osr/emr/emr.aspx> .

The rule provides for the following during any period of time for which the Governor has declared a state of emergency:

- Workers' compensation insurers should accept the use of modifier 95 to note telehealth/telemedicine methods.

- Additional temporary codes for **General Medicine** can be used, where applicable:
 - 90791 PSYCHIATRIC DIAGNOSTIC EVALUATION
 - 90792 PSYCHIATRIC DIAGNOSTIC EVAL W/MEDICAL SERVICES
 - 90832 PSYCHOTHERAPY W/PATIENT 30 MINUTES
 - 90833 PSYCHOTHERAPY W/PATIENT W/E&M SRVCS 30 MIN
 - 90834 PSYCHOTHERAPY W/PATIENT 45 MINUTES
 - 90836 PSYCHOTHERAPY W/PATIENT W/E&M SRVCS 45 MIN
 - 90837 PSYCHOTHERAPY W/PATIENT 60 MINUTES
 - 90838 PSYCHOTHERAPY W/PATIENT W/E&M SRVCS 60 MIN
 - 90863 PHARMACOLOGIC MANAGEMENT W/PSYCHOTHERAPY
 - 92521 EVALUATION OF SPEECH FLUENCY (STUTTER CLUTTER)
 - 92522 EVALUATION OF SPEECH SOUND PRODUCTION ARTICULATE
 - 92523 EVAL SPEECH SOUND PRODUCT LANGUAGE COMPREHENSION
 - 92524 BEHAVIORAL & QUALIT ANALYSIS VOICE AND RESONANCE
 - 96105 ASSESSMENT APHASIA W/INTERP & REPORT PER HOUR
 - 96156 HEALTH BEHAVIOR ASSESSMENT/RE-ASSESSMENT
 - 96158 HEALTH BEHAVIOR IVNTJ INDIV F2F 1ST 30 MIN
 - 96159 HEALTH BEHAVIOR IVNTJ INDIV F2F EA ADDL 15 MIN
 - 97129 THER IVNTJ COG FUNCJ CNTCT 1ST 15 MINUTES
 - 97130 THER IVNTJ COG FUNCJ CNTCT EA ADDL 15 MINUTES

- Additional temporary codes for **Physical Medicine** can be used, where applicable:
 - 97161 PHYSICAL THERAPY EVALUATION LOW COMPLEX 20 MINS
 - 97162 PHYSICAL THERAPY EVALUATION MOD COMPLEX 30 MINS
 - 97163 PHYSICAL THERAPY EVALUATION HIGH COMPLEX 45 MINS
 - 97164 PHYSICAL THERAPY RE-EVAL EST PLAN CARE 20 MINS

- 97165 OCCUPATIONAL THERAPY EVAL LOW COMPLEX 30 MINS
 - 97166 OCCUPATIONAL THERAPY EVAL MOD COMPLEX 45 MINS
 - 97167 OCCUPATIONAL THERAPY EVAL HIGH COMPLEX 60 MINS
 - 97168 OCCUPATIONAL THER RE-EVAL EST PLAN CARE 30 MINS
- Additional temporary codes for **Evaluation and Management** can be used, where applicable:
 - 99495 TRANSITIONAL CARE MANAGE SRVC 14 DAY DISCHARGE
 - 99496 TRANSITIONAL CARE MANAGE SRVC 7 DAY DISCHARGE
 - These additional codes are listed as “By Report” (BR) for maximum reimbursement. Please review current L.A.C. 40:I.5125 *Special Instructions* if not familiar with BR.

Questions regarding this emergency rule may be addressed to Assistant Secretary, Sheral C. Kellar, Office of Workers’ Compensation Administration at (225) 342-7561 or OWCA@lwc.la.gov