

A new subdivision (d) of section 329-1.3 of Title 12 NYCRR is hereby added as follows:

(d) When workers' compensation benefits are sought due to a work-place exposure to COVID-19, reimbursement for serological, molecular or other reliable testing to confirm a current COVID-19 viral infection may be made using CPT code 87635.

- (1) The RVU for CPT code 87635 shall be 39.18, and the total fee for such test shall be 51.33 for Region IV, 47.41 for Region III, and 41.53 for Regions I and II.
- (2) CPT code 87635 may only be billed when there is a claim for workers' compensation due to a COVID-19 infection as a result of a work-place exposure or when testing for COVID-19 is administered as part of a required pre-operative testing protocol in accordance with Department of Health guidance.
- (3) CPT code 87635 may not be billed for routine screening of workers' compensation claimants for the presence of the COVID-19 virus.
- (4) Antibody testing is not available under the Official New York Workers' Compensation Fee Schedule.
- (5) CPT code 87635 may only be billed in one instance. Repeat testing is not permitted, except when clinical documentation supports a change or reoccurrence of symptoms, or a new exposure to the COVID-19 virus.