

**DEPARTMENT OF HEALTH CARE SERVICES  
ADDENDUM TO SPA 22-0073 NOTICE OF  
GENERAL PUBLIC INTEREST AND  
REQUEST FOR PUBLIC INPUT  
RELEASE DATE: FEBRUARY 7, 2023**

The Department of Health Care Services (DHCS) released a Notice of General Public Interest (Public Notice) on December 28, 2022, providing notice of DHCS's plan to submit State Plan Amendment (SPA) 22-0073 to maintain the Fee-For-Service (FFS) Medi-Cal rates for Durable Medical Equipment (DME), considered to be oxygen and respiratory equipment at no more than 100 percent of the lowest maximum allowance for California established by the federal Medicare Program for the same or similar item or service, effective January 1, 2023.

This is an Addendum to the Public Notice published on December 28, 2022. DHCS requests input from beneficiaries, providers, and other interested stakeholders concerning proposed SPA 22-0073, which can be viewed at the link below.

May it be known that the following changes will be included in SPA 22-0073:

- Rescission of Disaster Relief (DR) SPA 21-0016, Section 7.4, pages 90rr-90aaa, effective January 1, 2023. DR SPA 21-0016 temporarily increased Medi-Cal rates for DME, considered to be oxygen and respiratory equipment, to 100 percent of Medicare's rate during the COVID-19 public health emergency.
- Effective for dates of service on or after January 1, 2024, reimbursement rates for DME, considered to be oxygen and respiratory equipment, will be updated based on the lowest of the rate in effect on either the Medi-Cal fee schedule or 100% of the Medicare rural fee schedule rate.

**PUBLIC REVIEW AND COMMENTS**

DHCS is requesting stakeholder input on the impact, if any, on access to services as a result of the proposed action.

A copy of the proposed SPA 22-0073 is published at the following internet address:

<https://www.dhcs.ca.gov/formsandpubs/laws/Pages/Pending-2022.aspx>

If you would like to view the SPA in person, please visit your local county welfare department. You may also request a copy of proposed SPA 22-0073 using the mailing or email addresses listed below.

Written comments may be sent to the following address:

Department of Health Care Services  
Fee-For-Service Rate Development Division  
Provider Rates Section  
1501 Capitol Avenue, MS 4600  
Sacramento, California 95899-7417

Comments may also be emailed to [PublicInput@dhcs.ca.gov](mailto:PublicInput@dhcs.ca.gov). Please indicate SPA 22-0073 in the subject line or message.

To be assured consideration, comments must be received no later than March 9, 2023. Please note that comments will continue to be accepted after March 9, 2023, but DHCS may not be able to consider those comments prior to the finalization of SPA 22-0073.

A copy of submitted public comments to SPA 22-0073 may be requested in writing to the mailing or email addresses identified above.