

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 3/26/02.

### I. DISPUTE

Whether there should be additional reimbursement for water circulating unit E0236 NU, water circulating pump E1399, shower chair E0245 NU, TLSO custom molded L0430 NU, raised toilet set E0244, toilet rail E0243

### II. RATIONALE

The water circulating unit E0236 NU, shower chair E0245 NU, raised toilet seat E0244 and toilet rail E0243 were reduced by the respondent on the basis of fair and reasonable reimbursement. The requestor submitted redacted copies of EOBs identifying that the amount billed by the requestor for the disputed shower chair and raised toilet seat was considered fair and reasonable by multiple carriers. The carrier filed no response. According to 1996 MFG DME Ground Rule IX. C., a fair and reasonable reimbursement for a pump for water-circulating pad, (CPT code E0236) shall be the same as the fee set for the "D" code in the 1991 Medical Fee Guideline (\$490.20)

The water circulating pump E1399 and TLSO custom molded L0430 NU were reduced by the carrier based upon negotiated discount. The requestor denies that any such negotiated discount exists. The carrier filed no response to this dispute to support their claim. The requestor submitted redacted copies of EOBs identifying that the amount billed by the requestor for these disputed DME was considered fair and reasonable by multiple carriers.

### III. DECISION & ORDER

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is** entitled to additional reimbursement for CPT code(s) E0236 NU, E0245 NU, E0244, E0243, E1399 and L0430 NU in the amount of **\$ 411.73**. Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby ORDERS the Respondent to remit **\$411.73** plus all accrued interest due at the time of payment to the Requestor within 20 days receipt of this Order.

The above Findings, Decision and Order are hereby issued this 27th day of October, 2003.

Noel L. Beavers  
Medical Dispute Resolution Officer  
Medical Review Division

NLB/nlb