

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 Medical Review Division regarding a medical fee dispute between the requestor and the respondent named above.

I. DISPUTE

1. Whether there should be reimbursement for work hardening.

II. FINDINGS

1. Based on Commission Rule 133.307(d) (1) (2), the only dates of service eligible for review are those commencing on October 29, 2001 and extending through November 1, 2001.

III. RATIONALE

Medical Review Division's rationale:

The requestor submitted a dispute for non-payment of the work hardening program for dates of service September 25, 2001 through November 1, 2001. The respondent paid for dates of service September 25, 2001 through October 26, 2001; and a partial payment of \$274.40 for date of service October 29, 2001. The respondent denied work hardening for the disputed dates of service as "850-247 – Disallowed - Services beyond certification for this episode/stay." Per the 1996 Medical Fee Guideline, Medicine Ground Rule (II)(E)(1-10) the requestor has submitted work hardening reports, which support the program was administered according to the Medical Fee Guideline.

IV. DECISION & ORDER

Based upon the review of the disputed healthcare services within this request, the Medical Review has determined that the requestor **is** entitled to reimbursement for CPT code(s) as identified in the above rationale in the amount of \$1,364.00 ($\$51.20 \times 32 = \$1638.40 - \274.40). Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Medical Review Division hereby ORDERS the Respondent to remit **\$1,364.00** 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 12th day of May 2003.

Marguerite Foster
Medical Dispute Resolution Officer
Medical Review Division
MF/mf