

MDR Tracking Number: M5-03-1611-01

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 133.308 titled Medical Dispute Resolution by Independent Review Organizations, the Medical Review Division assigned an IRO to conduct a review of the disputed medical necessity issues between the requestor and the respondent. This dispute was received on 3-3-03.

This case was forwarded to an IRO for review pursuant to Rule 133.308. On 6-12-03 an Order for Payment of IRO fee was sent to provider. The provider did not comply with Order; therefore, the services denied based upon not medically necessary were dismissed.

Based on review of the disputed issues within the request, the Medical Review Division has determined that **medical necessity was not the only issue** to be resolved.

The requestor paid for services rendered on 11-27-02; therefore, further action from the Medical Review Division is not necessary for 11-27-02.

This dispute also contained services, 97110 (X4) for 9-18-02. Neither party submitted EOBs for these services; therefore, they will be reviewed in accordance with the MFG. On this date, the requestor also billed for 97110 (X6) that were denied based upon "V" that were addressed by IRO. The 9-18-02 progress note does not support billing of 10 units of 97110. Also, the amount of time billed exceeds the timeframe allowed per MFG for physical medicine in Medicine Ground Rule (I)(A)(10)(a). Reimbursement for 97110 (x4) is not recommended.

On 10-16-03, the Medical Review Division submitted a Notice to requestor to submit additional documentation necessary to support the charges and to challenge the reasons the respondent had denied reimbursement within 14 days of the requestor's receipt of the Notice.

This Decision is hereby issued this 5th day of December 2003.

Elizabeth Pickle
Medical Dispute Resolution Officer
Medical Review Division