

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 5/6/03.

I. DISPUTE

Whether there should be reimbursement for work hardening from 8/12/02 through 8/26/02.

II. RATIONALE

The respondent denied the disputed services as not medically necessary. The requestor furnished a letter of preauthorization, dated 8/7/02 that verified all disputed work hardening services from 8/12/02 through 8/26/02 had been preauthorized.

Rule 134.600 (b)(1) states, "The insurance carrier is liable for all reasonable and necessary medical costs relating to the health care required to treat a compensable injury... when..."

- (B) Preauthorization of any health care listed in subsection (h) of this section was approved prior to providing the health care;"

Rule 134.600 (h) states, health care requiring preauthorization includes...(i)

- (1) Work hardening or work conditioning services;"

The requestor submitted documentation, including daily progress reports and group therapy reports that supports the delivery of service and satisfied the definition of work hardening as per the 1996 Medical Fee Guideline (II)(E). On this basis, reimbursement is recommended.

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 reimbursement for 97545-WH 20 units and 97546-WH 60 units in the amount of **\$5,040.00**. Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby **ORDERS** the Respondent to remit **\$5,040.00** 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 2nd day of December 2003.

Noel L. Beavers
Medical Dispute Resolution Officer
Medical Review Division

Roy Lewis, Supervisor
Medical Dispute Resolution
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