

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 5-30-03.

I. DISPUTE

Whether there should be reimbursement for DME code E1399 billed on 1-20-03 and denied as "A, X170 – preauthorization was required, but not requested for this service per TWCC Rule 134.600."

II. RATIONALE

On 7-24-03, the Division submitted a Notice to the requestor to notify the requestor that the medical necessity issue was dismissed. Per Rule 133.307(g)(3), the Notice also requested the requestor to submit additional documentation necessary to support the fee charges and to challenge the reasons the respondent had denied reimbursement within 14 days of the requestor's receipt of the Notice. Rule 134.600 (h)(11) states that all durable medical equipment in excess of \$500.00 per item and all TENS units require preauthorization. The Respondent did not submit relevant information to substantiate the cumulative charges for DME rental exceeded the \$500.00 threshold. The Requestor submitted relevant information to support delivery of service. Therefore, recommend reimbursement of \$250.00.

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 DME code E1399. Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby **ORDERS** the Respondent to remit **\$250.00** 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 27th day of April 2004.

Dee Z. Torres
Medical Dispute Resolution Officer
Medical Review Division