

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 8-12-03.

I. DISPUTE

Whether there should be reimbursement for E0753 and E0751 on date of service 3-20-03 denied by the carrier as "U".

II. RATIONALE

On 10-28-03, a Notice was issued stating that the Division determined that the issues in dispute are related to reimbursement based on fee issues only. 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.

On 2-3-03, the carrier preauthorized injection for myelogram/CAT scan, implant spinal cord stimulator trial, myelogram of lower spine, and fluoroscope exam. Per rule 133.301(a), the carrier cannot retrospectively review the medical necessity of a medical bill for treatment and or services for which the health care provider has obtained preauthorization. Operative report dated 3-20-03 supports delivery of service. Recommend reimbursement of \$2900.00 + \$1400.00 = \$4300.00.

IV. 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 HCPCS codes E0753 and E0751. Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby **ORDERS** the Respondent to remit \$4300.00 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 20th day of May 2004.

Dee Z. Torres
Medical Dispute Resolution Officer
Medical Review Division

Roy Lewis, Supervisor
Medical Dispute Resolution
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