MEDICAL DISPUTE RESOLUTION FINDINGS AND DECISION

PART I: GENERAL INFORMATION

Type of Requestor: (X) HCP ( ) IE ( ) IC	**Response Timely Filed?** ( ) Yes (X) No
Requestor HCA Healthcare 6000 NW Parkway, Ste. 124 San Antonio, TX 78249	MDR Tracking No.: M4-05-0061-01 TWCC No.: Injured Employee's Name:
Respondent American Casualty Co. of RI Rep. Box #47	Date of Injury: Employer's Name: ABM Industries, Inc. Insurance Carrier's No.: 3C803039

PART II: SUMMARY OF DISPUTE AND FINDINGS

Dates of Service		CPT Code(s) or Description	Amount in Dispute	Amount Due
From	To			
2-17-04	2-18-04	Inpatient Hospitalization	$29,839.55	$19,192.60

PART III: REQUESTOR'S POSITION SUMMARY

Per TWCC contract total charges exceed $40,000 are reimbursed @ 75%. Audited charges are patient convenience items and non-covered charges.

PART IV: RESPONDENT'S POSITION SUMMARY

HCA Healthcare billed $41,202.20 for the services provided by Round Rock Medical Center. American Casualty reimbursed HCA Healthcare $1,062.10…HCA Healthcare has filed to show how American Casualty's audit of the charges was improper.

PART V: MEDICAL DISPUTE RESOLUTION REVIEW SUMMARY, METHODOLOGY, AND/OR EXPLANATION

C issue: Requestor contends that "claim has not been paid according to the contract terms as determined by our agreement." A copy of the contract or terms of contract were not submitted by either party; therefore services will be reviewed in accordance with Rule 134.401.

G issue: The requestor inappropriately billed hospital services separately; services will be reviewed per Rule 134.401.

M issue: The insurance carrier reduced payment of implantables based upon "No MAR." Rule 134.401(c)(4)(A) indicates that implantables will be reimbursed at cost + 10%.

This dispute relates to inpatient services provided in hospital setting with reimbursement subject to the provisions of Rule 134.401 (Acute Care Inpatient Hospital Fee Guideline). The hospital has requested reimbursement according to the stop-loss method contained in that rule. Rule 134.401(c)(6) establishes that the stop-loss method is to be used for "unusually costly services." The explanation that follows this paragraph indicates that in order to determine if "unusually costly services" were provided, the admission must not only exceed $40,000 in total audited charges, but also involve "unusually extensive services."

The discharge summary indicated that, "a spinal cord stimulator was placed at the mid C4-C5 area on the right side by way of C7-T1 hemilaminectomy on the right side…Postoperatively she was having significant wound pain, especially in the area of her generator placement in the right upper lateral buttock region. She was up and about, doing well with good strength and ready for dismissal postoperatively."

After reviewing the documentation provided by both parties, it does **not** appear that this particular admission involved "unusually extensive services." Accordingly, the stop-loss method does not apply and the reimbursement is to be based on the per diem plus carve-out methodology described in the same rule.

The total length of stay for this admission was 1 days (consisting of 1 days for surgical). Accordingly, the standard per diem amount due for this admission is equal to $1118.00 (1 times $1,118). In addition, the hospital is entitled to additional reimbursement for (implantables/MRIs/CAT Scans/pharmaceuticals) as follows:

Invoices for stimulator was $17,397.00 + 10% = $19,136.70.

TOTAL of Invoices and Per Diem/ Surgery $19,136.70+ $1118.00 = $20,254.70

The insurance carrier paid $1062.10 for the inpatient hospitalization. The difference between amount paid of $1062.10 and amount due of $20,254.70 = $19,192.60.

Based on the facts of this situation, the parties' positions, and the application of the provisions of Rule 134.401(c), we find that the health care provider is entitled to a reimbursement amount for these services equal to $19,192.60.

PART VI: COMMISSION DECISION AND ORDER

Based upon the review of the disputed healthcare services, the Medical Review Division has determined that the requestor is entitled to additional reimbursement in the amount of $19,192.60. The Division hereby **ORDERS** the insurance carrier to remit this amount plus all accrued interest due at the time of payment to the Requestor within 20-days of receipt of this Order.

Ordered by:

	Allen McDonald, Director	
Authorized Signature	Typed Name	Date of Order

Findings and Decision by:

	Elizabeth Pickle	04-04-05
	Typed Name	Date of Order

PART VII: YOUR RIGHT TO REQUEST A HEARING

Either party to this medical dispute may disagree with all or part of the Decision and has a right to request a hearing. A request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings/Appeals Clerk within 20 (twenty) days of your receipt of this decision (28 Texas Administrative Code § 148.3). This Decision was mailed to the health care provider and placed in the Austin Representatives box on _____. This Decision is deemed received by you five days after it was mailed and the first working day after the date the Decision was placed in the Austin Representative's box (28 Texas Administrative Code § 102.5(d)). A request for a hearing should be sent to: Chief Clerk of Proceedings/Appeals Clerk, P.O. Box 17787, Austin, Texas, 78744 or faxed to (512) 804-4011. A copy of this Decision should be attached to the request.

The party appealing the Division's Decision shall deliver a copy of their written request for a hearing to the opposing party involved in the dispute.

Si prefiere hablar con una persona in español acerca de ésta correspondencia, favor de llamar a 512-804-4812.

PART VIII: INSURANCE CARRIER DELIVERY CERTIFICATION

I hereby verify that I received a copy of this Decision in the Austin Representative's box.

Signature of Insurance Carrier: _____ Date: _____