

MDR Tracking Number: M4-05-0252-01

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 133.307, 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 September 7, 2004.

I. DISPUTE

Whether there should be reimbursement for CPT code 20938-Spinal bone auto graft, rendered on 09-22-03.

III. RATIONALE

Requestors' position statement submitted along with their additional documentation received by the Commission on 10-04-04, states in part "that the corrected documentation for service rendered was resubmitted to the carrier along with a corrected bill however, the carrier's position remains the same.

Respondents' position statement dated, 09-16-04, states in part "that the bill and documentation attached to the medical dispute has been re-reviewed and the carrier's position remains the same that the charge was not reflected in the report as one of the procedures performed."

The requestor submitted a copy of the Operative report that supports the delivery of service for CPT code 20938 as billed. The requestor billed \$1000.00, however the MAR for CPT code 20938 is \$247.21. Therefore, in accordance with §134.202 (c) reimbursement is recommended in the amount of \$247.21.

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 CPT code 20938 in the amount of **\$247.21**. Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby **ORDERS** the Respondent to remit **\$247.21** 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 28th day of January 2005.

Patricia Rodriguez
Medical Dispute Resolution Officer
Medical Review Division