

MDR Tracking Number: M4-05-0702-01

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 9-28-04.

I. DISPUTE

Whether there should be reimbursement for Lido 5% PLO Lido 5% dispensed on 10/3/03.

II. RATIONALE

Review of the requestors' position statement states in part "rationale for reimbursement is per the pharmaceutical fee guidelines."

Review of the respondent's position statement received 10/5/04, states in part, "... it is our position that there is no evidence from an authoritative source that the medication being provided topically is well absorbed and efficacious in the supplied dosage and format...this prescription is not reasonable and necessary."

The carrier denied payment for this medication with "N", not appropriately documented, per pharmacy rule effective 1/3/02 each drug on a compound prescription is to be listed and calculated separately for dates of service after 3/1/02." In accordance with Rule 133.307 (g)(3)(A-F), the requestor submitted relevant information/NDC numbers to support the pharmaceutical fee guideline for this compound prescription.

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 CPT codes 99070 for the Lido 5% PLO Lido 5% in the amount of **\$56.25**. Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby **ORDERS** the Respondent to remit **\$56.25** 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 7th day of February 2005.

Regina L. Cleave
Medical Dispute Resolution Officer
Medical Review Division