Texas Department of Insurance, Division of Workers' Compensation
7551 Metro Center Drive, Suite 100 • Austin, Texas 78744-1609

MEDICAL DISPUTE RESOLUTION FINDINGS AND DECISION

PART I: GENERAL INFORMATION

Type of Requestor: (x) Health Care Provider ( ) Injured Employee ( ) Insurance Carrier

Requestor's Name and Address: BHCA, PC 2450 Fondren Suite 312 Houston, TX 77063	MDR Tracking No.: M4-05-0703-01 Claim No.: Injured Employee's Name:
Respondent's Name and Address: Fidelity & Guarantee Insurance Rep Box # 19	Date of Injury: Employer's Name: Consolidated Freightways Corp. Insurance Carrier's No.: B04006119

PART II: REQUESTOR'S PRINCIPLE DOCUMENTATION AND POSITION SUMMARY

Requestor states all services have been provided in accordance with TWCC guidelines.

Principle Documentation:

1. Requestor's position statement
2. TWCC-60
3. HCFA's
4. EOB's

PART III: RESPONDENT'S PRINCIPLE DOCUMENTATION AND POSITION SUMMARY

Respondent states they paid in accordance with the MFG.

Principle Documentation: 1. TWCC-60 Response

PART IV: SUMMARY OF DISPUTE AND FINDINGS

Date(s) of Service	Denial Code	CPT Code(s) or Description	Part V Reference	Additional Amount Due (if any)
10/02/03	F	96152	1	$220.71
10/09/03	F	96152	1	$220.71
10/16/03	F	96152	1	$220.71
10/22/03	F	96152	1	$220.71
TOTAL DUE				$882.84

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

Section 413.011(a-d) titled (Guidelines and Medical Policies), and Commission Rule 134.202 titled Medical Fee Guideline for Medical Treatments and Services Provided Under the Texas Workers' Compensation Act effective April 1, 1996 and Commission Rule 134.202 titled Medical Fee Guideline effective August 1, 2003, set out reimbursement guidelines.

1. CPT Code 96152 (8 Units) for dates of service 10/02/03, 10/09/03, 10/16/03 and 10/22/03. The carrier paid $31.52 for one unit for each date of service for a total reimbursement of $126.12, as referenced on the submitted EOB, and used payment exception code "F". According to Medicare this CPT Code is for health and behavior intervention, each 15 minutes. Therefore, per Rule 134.202(b) additional reimbursement of $220.17 ($25.22 x 125% = $31.53 x 8 = $252.24 -$31.52) for each date of service is recommended Total reimbursement due the requestor is $882.84 ($220.71 x 4).

PART VI: GENERAL PAYMENT POLICIES/REFERENCES IMPACTING DECISION

28 Texas Administrative Code Sec.§ 413.011(a-d)
28 Texas Administrative Code Sec. §134.202

PART VII: DIVISION DECISION AND ORDER

Based upon the documentation submitted by the parties and in accordance with the provisions of Texas Labor Code, Sec. 413.031, the Division has determined that the requestor **is** entitled to additional reimbursement **in the amount of $882.84.**

Ordered by:

		01/06/05
Authorized Signature	Typed Name	Date of Order

PART VIII: YOUR RIGHT TO REQUEST JUDICIAL REVIEW

Appeals of medical dispute resolution decisions and orders are procedurally made directly to a district court in Travis County [see Texas Labor Code, Sec. 413.031(k), as amended and effective Sept. 1, 2005]. An appeal to District Court must be filed not later than 30 days after the date on which the decision that is the subject of the appeal is final and appealable. The Division is not considered a party to the appeal.

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