MEDICAL DISPUTE RESOLUTION FINDINGS AND DECISION

PART I: GENERAL INFORMATION

Type of Requestor: (x) HCP ( ) IE ( ) IC	**Response Timely Filed?** () Yes (x) No
Requestor's Name and Address Vista Hospital of Dallas 4031 Vista Road Pasadena, Texas 77504	MDR Tracking No.: M4-05-4884-01 TWCC No.: Injured Employee's Name:
Respondent's Name and Address Centre Ins. Co./Rep. Box #: 39 C/o Falhive, Ogden & Latson P.O. Box 13367 Austin, Texas 78711-3367	Date of Injury: Employer's Name: Buckner Boulevard Plumbing Inc Insurance Carrier's No.: 689C136545-306

PART II: SUMMARY OF DISPUTE AND FINDINGS

Dates of Service		CPT Code(s) or Description	Amount in Dispute	Amount Due
From	To			
03-03-04	03-06-04	Inpatient Hospitalization	$44,055.26	$00.00

PART III: REQUESTOR'S POSITION SUMMARY

Position statement of March 23, 2005 states, states "…TWCC Rule 134.401 provides the rules regarding reimbursement for Acute Care In-patient Hospital Fee services. Specifically, reimbursement consists of 75% of remaining charges for the entire admission, after a Carrier audits a bill… In this instance, the audited charges that remained in dispute after the last bill review by the insurance carrier were $63,212.34. The prior amounts paid by the carrier were $3,354.00. Therefore, the Carrier is required to reimbursement the remainder of the Workers' Compensation Reimbursement Amount of $44,055.26, plus interest…".

PART IV: RESPONDENT'S POSITION SUMMARY

No response was submitted.

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

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."

After reviewing the documentation provided by both parties, it does **not** appear that this particular admission involved "unusually extensive services." The operative report of March 3, 2003 indicates that the patient underwent "Exploration of lumbar spinal fusion at L4-5. 2. Partial corpectomy of the inferior-superior body of L4 and the superolateral body of L5. Redo anterior lumbar interbody fusion at L4-5. 4. Use of morselized allograft with stem cells harvested from the patient's own blood." The operative report further states, "… This patient had a 360 fusion at L4-5 and L5-S1 several years ago. He developed pseudoarthrosis and we carrier out a redo posterior fusion and redo instrumentation about a year and a half ago…". 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 3 days (consisting of 3 days for surgical). Accordingly, the standard per diem amount due for this admission is equal to $3,354.00 (3 times $1,118). The Respondent paid $3,354.00 for Rev. Code 110. In addition, the hospital is entitled to additional reimbursement for (implantables/MRIs/CAT Scans/pharmaceuticals) as follows: The requestor did not submit any medical documentation that the surgery involved unusually extensive services. nor did the requestor submit any invoices; therefore, MDR cannot determine the cost plus 10%.

Considering the reimbursement amount calculated in accordance with the provisions of rule 134.401(c) compared with the amount previously paid by the insurance carrier, we find that no additional reimbursement is due for these services.

PART VI: COMMISSION DECISION

Based upon the review of the disputed healthcare services, the Medical Review Division has determined that the requestor is **not** entitled to additional reimbursement.

Findings and Decision by:

	Roy Lewis	5-6-05
Authorized Signature	Typed Name	Date of Decision

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, 7551 Metro Center Drive, Suite # 100, 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: _____