Texas Department of Insurance, Division of Workers' Compensation
Medical Fee Dispute Resolution, MS-48
7551 Metro Center Drive, Suite 100 • Austin, Texas 78744-1609

MEDICAL FEE DISPUTE RESOLUTION FINDINGS AND DECISION

PART I: GENERAL INFORMATION

Requestor's Name and Address: ACCUTRUST DIAGNOSTICS PO BOX 121586 ARLINGTON, TX 76012	MFDR Tracking #: M4-07-3893-01 DWC Claim #: Injured Employee:
Respondent Name and Box #: ZURICH AMERICAN INSURANCE CO REP BOX #: 19	Date of Injury: Employer Name: Insurance Carrier #:

PART II: REQUESTOR'S POSITION SUMMARY AND PRINCIPLE DOCUMENTATION

Requestor's Position Summary taken from the Table of Disputed Services: "FCE was not paid according to DWC Medical Fee Guidelines."

Principle Documentation:

1. DWC 60 package
2. CMS 1500(s)
3. EOB(s)

PART III: RESPONDENT'S POSITION SUMMARY AND PRINCIPLE DOCUMENTATION

Respondent's Position Summary: "The carrier submits that all fee reductions were made in accordance with the applicable fee guidelines. The carrier further challenges whether the provider's charges are consistent with these same guidelines. The requestor has not provided sufficient evidence establishing entitlement to further reimbursement."

Principle Documentation:

1. Response to DWC 60

PART IV: SUMMARY OF FINDINGS

Date(s) of Service	Denial Code(s)	CPT Code(s) and Calculations	Part V Reference	Amount Due
04/11/06	45,15	97550-FC ($38.26 x 10 units = $382.60-$365.30)	1,2,3	$17.30
Total Due:				$17.30

PART V: REVIEW OF SUMMARY, METHODOLOGY AND EXPLANATION

Section §413.011(a-d) titled, *Reimbursement Policies and Guidelines*, and Division Rule 134.202 titled, *Medical Fee Guideline* effective August 1, 2003, set out the reimbursement guidelines.

1. These services were reimbursed by the Respondent with reason code "45-Charges exceed your contracted/legislated fee arrangement" and "15-Paymemt adjusted because the submitted authorization number is missing, invalid, or does not apply to the billed services or provider". Per conversation with health care provider, there is no contract in effect. ANSI denial code "15" is to be used in conjunction with preauthorization related audits only and does not apply in this case.

2. Per §134.202(c)(1), the MAR is $38.26/unit. Therefore, the Requestor is entitled to the difference between amount paid and due, which equals $17.30.

3. Per review of Box 32 on CMS-1500, zip code 77060 is located in Harris County.

PART VI: GENERAL PAYMENT POLICIES/REFERENCES

Texas Labor Code Sec. §413.011(a-d)
28 Texas Administrative Code Sec. §134.1, §134.202

PART VII: DIVISION DECISION AND/OR 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 reimbursement. The Division hereby **ORDERS** the Carrier to remit to the Requestor the amount of $17.30 plus accrued interest, due within 30 days of receipt of this Order.

ORDER / DECISION:

07/13/07

Authorized Signature	Medical Fee Dispute Resolution Officer	Date

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.