MEDICAL DISPUTE RESOLUTION FINDINGS AND DECISION

PART I: GENERAL INFORMATION

Type of Requestor: (X) HCP ( ) IE ( ) IC	**Response Timely Filed?** ( ) Yes (X) No
Requestor RHD Memorial Medical Center P.O. Box 809053 Dallas, TX 75380-9053	MDR Tracking No.: M4-03-9689-01 TWCC No.: Injured Employee's Name:
Respondent American Home Assurance Co. Rep. Box # 19	Date of Injury: Employer's Name: Tyco International US Inc. Insurance Carrier's No.: 039CBB8V2187

PART II: SUMMARY OF DISPUTE AND FINDINGS

Dates of Service		CPT Code(s) or Description	Amount in Dispute	Amount Due
From	To			
12-12-02	**12-15-02**	**Inpatient Hospitalization**	**$35,843.84**	**$0.00**

PART III: REQUESTOR'S POSITION SUMMARY

The carrier remitted to the provider $1,1118.00 as reimbursement for inpatient services rendered on or about December 12, 2002 thru December 15, 2002. The total charges qualified for the stoploss provisions as found in Rule 134.401(6). It is extremely extraordinary when foreign objects are implanted in the human body in order to alleviate pain or to bring about a medical remedy, when the normal course of the healing process will not suffice. Even subtracting the charge for implants from the total bill yields above the stoploss qualification. Therefore the provider hereby seeks an order from the commission for the carrier to pay the additional $35,843.84.

PART IV: RESPONDENT'S POSITION SUMMARY

Payment recommendation: $5,105.40 (based on 3 day Surgical Per Diem and Implant reimbursement of $1751.40.) No allowance for the CT scan of the chest as determined not to be related per physician advisor.

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."

Operative report indicates claimant underwent, "Cadaver implant; anterior/posterior cruciate ligament reconstruction; and arthroscopy."

After reviewing the documentation provided by both parties, it does **not** appear that this particular admission involved "unusually extensive services." 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 3days (consisting of 3days for surgical). Accordingly, the standard per diem amount due for this admission is equal to $3354.00 (3 times $1,118). In addition, the hospital is entitled to additional reimbursement for (implantables/MRIs/CAT Scans/pharmaceuticals) as follows:

The insurance carrier paid $1751.40 for implantables based upon cost + 10%. Cost invoices to support additional reimbursement per Rule 134.401(c) were not submitted.

The insurance carrier paid $5105.40 for the inpatient hospitalization.

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:

	Elizabeth Pickle, RHIA	May 27, 2005
Authorized Signature	Typed Name	Date of Order

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, P.O. Box 17787, 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 and Order in the Austin Representative's box.

Signature of Insurance Carrier: _____ Date: _____