



# TEXAS DEPARTMENT OF INSURANCE

## Division of Workers' Compensation - Medical Fee Dispute Resolution (MS-48)

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### MEDICAL FEE DISPUTE RESOLUTION FINDINGS AND DECISION

#### GENERAL INFORMATION

**Requestor Name**

Memorial Compounding Pharmacy

**Respondent Name**

United Airlines Inc

**MFDR Tracking Number**

M4-18-5008-01

**Carrier's Austin Representative**

Box 29

**MFDR Date Received**

August 16, 2018

#### REQUESTOR'S POSITION SUMMARY

**Requestor's Position Summary:** "The Texas Labor Code Section 408.027 (b) requires that the carrier must pay, reduce, deny or determine to audit the health provider's claim no later than the 45<sup>th</sup> day after the date of receipt by the carrier. Memorial did not receive any correspondence as per rule..."

**Amount in Dispute:** \$555.68

#### RESPONDENT'S POSITION SUMMARY

**Respondent's Position Summary:** "Attached please find evidence of payment to the Requestor for the services made the basis of this dispute."

**Response Submitted by:** Dean G. Pappas, PLLC

#### SUMMARY OF FINDINGS

Date of Service	Disputed Services	Amount In Dispute	Amount Due
January 16, 2018	Compound Medication	\$555.68	\$0.00

#### FINDINGS AND DECISION

This medical fee dispute is decided pursuant to Texas Labor Code §413.031 and applicable rules of the Texas Department of Insurance, Division of Workers' Compensation.

#### **Background**

- 28 Texas Administrative Code §133.307 sets out the procedures for resolving medical fee disputes
- 28 Texas Administrative Code §134.503 sets out the reimbursement for compound medications
- Explanation of Benefits:  
Issued September 7, 2018

#### **Findings**

DWC makes the following conclusions based upon the information and documentation presented to the DWC to date. Even though all the evidence was not discussed, it was considered.

1. *Did the carrier reimburse Memorial for the disputed services?*

Memorial Compounding Rx (Memorial) asserts that the insurance carrier has not paid for the service in dispute. Review of the explanations of benefits provided finds that the insurance carrier issued a payment to Memorial on September 7, 2018 via check number 71676703. Memorial did not dispute the payment amount.

For that reason, the DWC moves to resolve this dispute with the information available and concludes that no additional reimbursement can be recommended.

**Conclusion**

DWC concludes that Memorial has already been paid for the service in dispute. As a result, the amount ordered is \$0.00.

***ORDER***

Based on the submitted information, and pursuant to Texas Labor Code Section 413.031, DWC has determined that the requestor is not entitled to additional reimbursement for the services in dispute.

**Authorized Signature**

_____	_____	October 30, 2018
Signature	Medical Fee Dispute Resolution Officer	Date

***RIGHT TO APPEAL***

Either party to this medical fee dispute has a right to seek review of this decision in accordance with 28 Texas Administrative Code §133.307, 37 *Texas Register* 3833, applicable to disputes filed on or after June 1, 2012.

A party seeking review must submit a **Request to Schedule a Benefit Review Conference to Appeal a Medical Fee Dispute Decision** (form **DWC045M**) in accordance with the instructions on the form. The request must be received by the Division within **twenty** days of your receipt of this decision. The request may be faxed, mailed or personally delivered to the Division using the contact information listed on the form or to the field office handling the claim.

The party seeking review of the MFDR decision shall deliver a copy of the request to all other parties involved in the dispute at the same time the request is filed with the Division. **Please include a copy of the *Medical Fee Dispute Resolution Findings and Decision*** together with any other required information specified in 28 Texas Administrative Code §141.1(d).

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