



# 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**

Wadley Regional Medical Center

**Respondent Name**

American Zurich Insurance Co

**MFDR Tracking Number**

M4-20-0196-01

**Carrier's Austin Representative**

Box 19

**MFDR Date Received**

September 23, 2019

#### REQUESTOR'S POSITION SUMMARY

**Requestor's Position Summary:** None submitted.

**Amount in Dispute:** \$412.88

#### RESPONDENT'S POSITION SUMMARY

**Respondent's Position Summary:** "The provider's date of service was February 5, 2019. The UB-04 was submitted to the carrier electronically on July 3, 2019. The provider failed to submit the medical bill to the carrier no later than 95 days following the date of service. Accordingly, it was not timely submitted."

**Response submitted by:** Flahive, Ogden & Latson

#### SUMMARY OF FINDINGS

Dates of Service	Disputed Services	Amount In Dispute	Amount Due
February 5, 2019	Outpatient Hospital Services	\$412.88	\$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 §133.20 sets out requirements of medical bill submission.
- Texas Labor Code 408.0272 sets out the workers compensation timely billing and exceptions guidelines.
- The insurance carrier reduced payment for the disputed services with the following claim adjustment codes:
  - 29 – The time limit for filing has expired

**Issues**

Is the insurance carrier’s reason for denial of payment supported?

**Findings**

The requestor is seeking \$412.88 for outpatient hospital services rendered on February 5, 2019. The insurance carrier denied disputed services based on the untimely submission of the medical bill.

28 TAC §133.20 (b) states a health care provider shall not submit a medical bill later than the 95th day after the date the services are provided unless satisfactory proof is submitted that support an erroneous claim was submitted to the claimant’s group health/accident insurance policy, a health maintenance organization that covers the claimant or a workers’ compensation insurance carrier other than the insurance carrier liable for the payment of benefits under this title.

Review of the submitted documentation found insufficient evidence to support one of the exceptions found above. The insurance carrier’s denial is supported.

**Conclusion**

In resolving disputes over reimbursement for medically necessary health care to treat a compensable injury, the role of DWC is to adjudicate payment following Texas laws and DWC rules. The findings in this decision are based on the evidence available at the time of review. Even though not all the evidence was discussed, it was considered.

For the reasons above the requestor has not established payment is due. As a result, the amount ordered is \$0.00.

***ORDER***

In accordance with Texas Labor Code Section 413.031 and 413.019 (if applicable) and based on the submitted information, DWC finds the requestor is not entitled to additional reimbursement.

**Authorized Signature**

		November 7, 2019
Signature	Medical Fee Dispute Resolution Officer	Date

***YOUR RIGHT TO APPEAL***

Either party to this medical fee dispute has a right to seek review of this decision in accordance with Rule §133.307, 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 DWC within **twenty** days of your receipt of this decision. The request may be faxed, mailed or personally delivered to DWC 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. **Please include a copy of the Medical Fee Dispute Resolution Findings and Decision** together with any other required information specified in 28 TAC §141.1(d).

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