



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

St Joseph Medical Center

Respondent Name

Harris County

MFDR Tracking Number

M4-20-2551-01

Carrier's Austin Representative

Box 21

MFDR Date Received

June 22, 2020

REQUESTOR'S POSITION SUMMARY

Requestor's Position Summary: "We received a call on 03/12 from Rick, providing claim info

Amount in Dispute: \$709.74

RESPONDENT'S POSITION SUMMARY

Respondent's Position Summary: "Requestor submitted the bill at issue in March 2020, which was well over 95 days from the date of service."

Response submitted by: Thornton, Biechlin, Reynolds & Guerra, L.C.

SUMMARY OF FINDINGS

Dates of Service	Disputed Services	Amount In Dispute	Amount Due
August 8, 2019	Outpatient Hospital Services	\$709.74	\$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
 - 4271 – Per TX Labor Code Sec 413.016, Providers must submit bills to payors within 95 days of the date of service

Issues

Is the insurance carrier’s reasons for denial or reduction of payment supported?

Findings

The requestor is seeking \$709.74 for outpatient hospital services rendered August 8, 2019. The insurance carrier denied disputed services with claim adjustment reason code 29 – “The time limit for filing has expired.” The requestor has explained the late filing as they were notified on 03/12 by a “Rick” of the claim info.

28 TAC §133.20 (b) states in pertinent part, except as provided in Labor Code §408.0272(b), (c) or (d), a health care provider shall not submit a medical bill later than the 95th day after the date the services are provided.

Texas Labor Code 408.0272. (b) states in pertinent part an exception to the timely filing can be made when the requestor submits proof that the claim was erroneously file with a group accident and health insurance, a health maintenance organization or a workers’ compensation carrier other than the insurance carrier liable for the payment of benefits.

The explanation from the requestor does meet 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

Based on the submitted information, pursuant to Texas Labor Code Section 413.031, the division hereby determines the requestor is entitled to \$0.00 additional reimbursement for the services in dispute.

Authorized Signature

Signature	Medical Fee Dispute Resolution Officer	July 24, 2020 Date
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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.