



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

Requester Name

MAYORGA, GILBERT JR

Respondent Name

AMERICAN ZURICH INSURANCE CO

MFDR Tracking Number

M4-20-2594-01

Carrier's Austin Representative

Box Number 19

MFDR Date Received

June 30, 2020

REQUESTER'S POSITION SUMMARY

"In brief, we have not been paid to date for the service provided."

Amount in Dispute: \$850.00

RESPONDENT'S POSITION SUMMARY

"We are attaching a copy of the carrier's EOR dated August 8, 2019 that recommended reimbursement of \$850. We are also attaching payment information in the amount of \$850 that was issued on August 9, 2019."

Response Submitted by: Flahive, Ogden & Latson

SUMMARY OF FINDINGS

Dates of Service	Disputed Services	Amount In Dispute	Amount Due
July 25, 2019	Designated Doctor Examination (99456-NM-W5 and 99456-W8-RE)	\$850.00	\$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 (DWC). 28 Texas Administrative Code §133.307 sets out the procedures for resolving medical fee disputes.

Issues

Is Gilbert Mayorga, Jr., M.D. entitled to additional reimbursement for the examination in question?

Findings

Dr. Mayorga is seeking reimbursement for a designated doctor examination that was performed on July 25, 2019. Per documentation submitted by the insurance carrier, the disputed services were paid in full on or about August 9, 2019. The DWC finds that Dr. Mayorga is not entitled to additional reimbursement for the examination in question.

Conclusion

For the reasons stated above, the DWC finds that the requester has not established that additional reimbursement 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 DWC hereby determines the requester is entitled to \$0.00 additional reimbursement for the services in dispute.

Authorized Signature

		September 16, 2020
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, effective May 31, 2012, *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 DWC within **twenty** days of your receipt of this decision. The request may be faxed, mailed or personally delivered to the 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 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.