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
AZALEA ORTHOPEDIC & SPORTS MEDICINE

Respondent Name
ZURICH AMERICAN INSURANCE CO

MFDR Tracking Number
M4-21-1461-01

Carrier's Austin Representative
Box Number 19

MFDR Date Received
APRIL 20, 2021

REQUESTOR'S POSITION SUMMARY

"This claim was originally denied on 03/05/2021 stating the documentation does not appear to match the code being billed. The dictation specifically lists procedure code 20611 and provides details of the service performed."

Amount in Dispute: $300.00

RESPONDENT'S POSITION SUMMARY

"The carrier's position remains as indicated on its EOBs for all the reasons set out on those EOBs."

Response Submitted By: Flahive, Ogden & Latson

SUMMARY OF FINDINGS

Dates of Service	Disputed Services	Amount In Dispute	Amount Due
February 3, 2021	CPT Code 20611 Arthrocentesis	$300.00	$169.03

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).

Background

1. 28 Texas Administrative Code (TAC) §133.307, effective February 22, 2021, sets out the procedures for resolving medical fee disputes.
2. 28 TAC §134.203, effective March 1, 2008, sets the reimbursement guidelines for the disputed service.
3. The services in dispute were reduced/denied by the respondent with the following reason code:
    - P12-Workers' compensation jurisdictional fee schedule adjustment.
    - 00403, 112-Payment adjusted as not furnished directly to the patient and/or not documented.
    - 5346-Documented procedure does not match the code description of the CPT code billed.
    - 193-Original payment decision is being maintained. Upon review, it was determined that this claim was processed properly the first time.

Issues

Is the requestor entitled to reimbursement for CPT code 20611 rendered on February 3, 2021?

Findings

1. The requestor is seeking medical dispute resolution in the amount of $300.00 for CPT code 20611 rendered on February 3, 2021.

2. The respondent denied reimbursement for code 20611 based the documentation did not support service billed.

3. The fee guidelines for disputed service is found in 28 TAC §134.203.

4. 28 TAC §134.203(b) states "For coding, billing, reporting, and reimbursement of professional medical services, Texas workers' compensation system participants shall apply the following: (1) Medicare payment policies, including its coding; billing; correct coding initiatives (CCI) edits; modifiers…"

5. CPT code 20611 is described as "Arthrocentesis, aspiration and/or injection, major joint or bursa (eg, shoulder, hip, knee, subacromial bursa); with ultrasound guidance, with permanent recording and reporting."

   The requestor submitted a report that supports "Under ultrasound guidance…1 cc dexamethasone 4 mg and 4 cc 05% Marcaine" was injected into the lateral subacromial space of the right shoulder. The requestor supported billing CPT code 20611; therefore, reimbursement is recommended.

6. Per 28 TAC §134.203(c)(1)(2), "To determine the MAR for professional services, system participants shall apply the Medicare payment policies with minimal modifications.
   (1) For service categories of Evaluation & Management, General Medicine, Physical Medicine and Rehabilitation, Radiology, Pathology, Anesthesia, and Surgery when performed in an office setting, the established conversion factor to be applied is $52.83. For Surgery when performed in a facility setting, the established conversion factor to be applied is $66.32.

   (2) The conversion factors listed in paragraph (1) of this subsection shall be the conversion factors for calendar year 2008. Subsequent year's conversion factors shall be determined by applying the annual percentage adjustment of the Medicare Economic Index (MEI) to the previous year's conversion factors, and shall be effective January 1st of the new calendar year. The following hypothetical example illustrates this annual adjustment activity if the Division had been using this MEI annual percentage adjustment: The 2006 Division conversion factor of $50.83 (with the exception of surgery) would have been multiplied by the 2007 MEI annual percentage increase of 2.1 percent, resulting in the $51.90 (with the exception of surgery) Division conversion factor in 2007."

   To determine the MAR the following formula is used: (DWC Conversion Factor/Medicare Conversion Factor) X Participating Amount = Maximum Allowable Reimbursement (MAR).

   Review of Box 32 on the CMS-1500 the services were rendered in zip code 75701, which is located in Tyler, Texas; therefore, the Medicare participating amount is based on locality "Rest of Texas".

   Place of Service is 11.

   The 2021 DWC conversion factor for this service is 61.17.

   The 2021 Medicare Conversion Factor is 34.8931

   The Medicare participating amount for this location is $96.42.

   Using the above formula, the DWC finds the MAR is $169.03. The respondent paid $0.00. The requestor is due the difference between MAR and amount paid of $169.03.

Conclusion

For the reasons stated above, the DWC finds that the requestor has established that reimbursement is due. As a result, the amount ordered is $169.03

ORDER

Based upon the documentation submitted by the parties and in accordance with the provisions of Texas Labor Code Sections 413.031 and 413.019 (if applicable), the DWC has determined that the requestor is entitled to additional reimbursement for the services involved in this dispute. The DWC hereby ORDERS the respondent to remit to the requestor the amount of $169.03 plus applicable accrued interest per 28 Texas Administrative Code §134.130, due within 30 days of receipt of this Order.

Authorized Signature

		05/13/2021
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 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 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 with the DWC. **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.