TDI Division of Workers' Compensation
PO Box 12050 | Austin, TX 78711 | 800-252-7031 | tdi.texas.gov/wc

Medical Fee Dispute Resolution Findings and Decision

General Information

Requestor Name
ST JOSEPH MEDICAL CENTER

Respondent Name
ARGONAUT MIDWEST INSURANCE CO

MFDR Tracking Number
M4-22-1775-01

Carrier's Austin Representative
Box Number 17

DWC Date Received
April 18, 2022

Summary of Findings

Dates of Service	Disputed Services	Amount in Dispute	Amount Due
December 13, 2021 to December 15, 2021	Inpatient Hospital Service	$3,435.52	$3,435.52
	Total	$3,435.52	$3,435.52

Requestor's Position

This bill remains underpaid after reconsideration has been processed.

Amount in Dispute: $3,435.52

Respondent's Position

Respondent has paid a total of $15,316.98, which is the allowable reimbursement for DRG 661. This amount is inclusive of the entire surgical procedure and inpatient admission. Therefore, no additional reimbursement is owed. In conclusion, Respondent is not owed any additional reimbursement as they were properly paid for the inpatient admission.

Response Submitted by: Downs Stanford PC

Findings and Decision

Authority

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

Statutes and Rules

1. 28 TAC §133.307 sets out the procedures for resolving medical fee disputes.

2. 28 Texas Administrative Code §134.404 sets out the acute care hospital fee guideline for inpatient services.

Denial Reasons

The insurance carrier reduced the payment for the disputed services with the following claim adjustment codes:

- 252 – An attachment/other documentation is required to adjudicate the claim/service
- P12 – Workers Compensation Jurisdictional Fee Schedule Adjustment
- 131 – Claim specific negotiated discount
- 252 – An attachment/other documentation is required to adjudicate the claim/service
- 45 – Charge exceeds fee schedule/maximum allowable or contracted/legislated fee arrangement

Issues

1. What is the applicable rule for determining reimbursement for the disputed services?
2. Is the requestor entitled to additional payment?

Findings

1. This dispute regards inpatient hospital facility services with payment subject to 28 TAC §134.404(f), requiring the maximum allowable reimbursement (MAR) to be the Medicare facility specific amount (including outlier payments) applying Medicare Inpatient Prospective Payment System (IPPS) formulas and factors, as published annually in the Federal Register, with modifications set forth in the rules. Medicare IPPS formulas and factors are available from the Centers for Medicare and Medicaid Services at http://www.cms.gov.

   The division calculates the Medicare facility specific amount using Medicare's *Inpatient PPS PC Pricer* as a tool to efficiently identify and apply IPPS formulas and factors. This software is freely available from www.cms.gov.

   Separate reimbursement for implants was not requested. 28 TAC §134.404(f)(1)(A) requires that the Medicare facility specific amount be multiplied by 143%.

Review of the submitted medical bill and supporting documentation finds the assigned DRG code to be 661. The service location is Houston TX. Based on DRG code, service location, and bill-specific information, the Medicare facility specific amount is $13,196.91. This amount multiplied by 143% results in a MAR of $18,871.58.

2. The total allowable reimbursement for the services in dispute is $18,871.58. The amount previously paid by the insurance carrier is $15,316.98. The requestor's *Table of Dispute Service* indicates reimbursement request in the amount of $3,435.52. This amount is recommended.

Conclusion

The outcome of this medical fee dispute is based on the evidence presented by the requestor and the respondent at the time of adjudication. Though all evidence may not have been discussed, it was considered.

DWC finds the requester has established that additional reimbursement of $3,435.52 is due.

Order

Under Texas Labor Code §§413.031 and 413.019, DWC has determined the requestor is entitled to additional reimbursement for the disputed services. It is ordered that ARGONAUT MIDWEST INSURANCE CO must remit to ST JOSEPH MEDICAL CENTER $3,435.52 plus applicable accrued interest within 30 days of receiving this order in accordance with 28 TAC §134.130.

Authorized Signature

[redacted] [redacted] June 14, 2022

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 under 28 TAC §133.307, which applies to disputes filed on or after **June 1, 2012**.

A party seeking review must submit DWC Form-045M, *Request to Schedule, Reschedule, or Cancel a Benefit Review Conference to Appeal a Medical Fee Dispute Decision (BRC-MFD)* and follow the instructions on the form. You can find the form at www.tdi.texas.gov/forms/form20numeric.html. DWC must receive the request within **20 days** of when you receive this decision. You may fax, mail, or personally deliver your request to DWC using the contact information on the form or the field office handling the claim. If you have questions about DWC Form-045M, please call CompConnection at 1-800-252-7031, option 3 or email CompConnection@tdi.texas.gov.

The party seeking review of the MFDR decision must deliver a copy of the request to all other parties involved in the dispute at the same time the request is filed with DWC. **Please include a**

copy of the *Medical Fee Dispute Resolution Findings and Decision* with any other required information listed in 28 TAC §141.1(d).

Si prefiere hablar con una persona en español acerca de ésta correspondencia, favor de llamar a 1-800-252-7031, opción 3 o correo electronico CompConnection@tdi.texas.gov.