



## Medical Fee Dispute Resolution Findings and Decision

### General Information

**Requestor Name**

PROVIDENCE MEMORIAL HOSPITAL

**Respondent Name**

FEDEX FREIGHT INC

**MFDR Tracking Number**

M4-22-2743-01

**Carrier's Austin Representative**

Box Number 19

**DWC Date Received**

August 24, 2022

### Summary of Findings

Dates of Service	Disputed Services	Amount in Dispute	Amount Due
May 08, 2021 to May 15, 2021	Inpatient Hospital Service	\$445.26	\$0.00
<b>Total</b>		\$445.26	\$0.00

Healthcare provider in dispute did not provide a position statement.

**Amount in Dispute:** \$445.26

### Respondent's Position

First, the provider was required to submit its request for medical fee dispute resolution within one year of the date of service. The last date of service of May 15, 2021.

**Response Submitted by:** Flahive Ogden & Latson

### 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.

### Denial Reasons

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

- 1014 The attached billing has been re-evaluated at the request of the provider. Based on this re-evaluation we find our original review to be correct. Therefore, no additional allowance appears to be warranted
- 2005 – No additional reimbursement allowed after review of appeal/reconsideration
- 5094 – DWC requires request for reconsideration or corrected claims to be submitted within 10 months of the date of service
- P00C – Internal use only
- 193 – Original payment decision is being maintained. Upon review it was determined that this claim was processed properly
- 29 – The time limit for filing has expired
- W3 – Bill is a reconsideration or appeal
- 4896 – Payment made per Medicare's IPS methodology with the applicable state markup
- 877 – Reimbursement is based on the contracted amount
- 45 – Charge exceeds fee schedule/maximum allowable or contracted/legislated fee arrangement
- P12 – Workers Compensation Jurisdictional Fee Schedule Adjustment

### Issues

1. Did the requestor waive the right to medical fee dispute resolution?

### Findings

1. 28 Texas Administrative Code §133.307(c)(1) states:

Timeliness. A requestor shall timely file the request with the division's MFDR Section or waive the right to MFDR. The division shall deem a request to be filed on the date the MFDR Section receives the request. A decision by the MFDR Section that a request was not timely filed is not a dismissal and may be appealed pursuant to subsection (g) of this section.

(A) A request for MFDR that does not involve issues identified in subparagraph (B) of this paragraph shall be filed no later than one year after the date(s) of service in dispute.

The date of the services in dispute is May 8, 2021 to May 15, 2021. The request for medical fee dispute resolution was received in the Medical Fee Dispute Resolution (MFDR) Section on August 24, 2022. This date is later than one year after the date(s) of service in dispute. Review

of the submitted documentation finds that the disputed services do not involve issues identified in §133.307(c)(1)(B). The Division concludes that the requestor has failed to timely file this dispute with the Division's MFDR Section; consequently, the requestor has waived the right to medical fee dispute resolution.

### 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 requestor has not established that additional reimbursement is due.

### **Order**

Under Texas Labor Code §§413.031 and 413.019, DWC has determined the requestor is not entitled to additional reimbursement for the disputed services.

### **Authorized Signature**



Signature



Division Officer

September 22, 2022

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](http://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](mailto: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 electrónico [CompConnection@tdi.texas.gov](mailto:CompConnection@tdi.texas.gov).