

Medical Fee Dispute Resolution Findings and Decision

General Information

Requestor Name

EZ SCRIPTS LLC

Respondent Name

AMTRUST INSURANCE CO

MFDR Tracking Number

M4-23-0493-01

Carrier's Austin Representative

Box Number 17

DWC Date Received

October 21, 2022

Summary of Findings

Dates of Service	Disputed Services	Amount in Dispute	Amount Due
October 18, 2021	Naproxen Oral, Methylprednisolone and Cyclobenzaprine	\$257.01	\$0.00
Total		\$257.01	\$0.00

"Enclosed are the outstanding pharmacy bills from Mail My Meds LLC d/b/a Public Safety Rx, which were submitted to AmTrust in a timely manner after each prescription was filed. AmTrust has effectively refused to pay the enclosed invoices per adjuster decision as they are stating the following that the medications were dispensed are unrelated. We have rounded to be in error noting the following..."

Amount in Dispute: \$257.01

Respondent's Position

"This request for Medical Fee Dispute Resolution was not timely filed pursuant to DWC Rule 133.307©. The date of service at issue in this matter is 10/18/2021 ... Medical Fee Dispute Resolution Requestor's DWC-60 on 10/21/2022, as evidenced by the date stamp on the DWC-60. The date of service in dispute is 10/18/2021."

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.

Denial Reasons

The insurance carrier [reduced or denied] the payment for the disputed services with the following claim adjustment codes:

- HEA1 – Claim/service denied
- N3 – A reduction was made because a different provider has billed for the exact services on a previous bill
- ZR – The provider or a different provider has billed for the exact service on a previous bill where no allowance was originally recommended
- 60 – The provider has billed for the exact service on a previous bill

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 must timely file the request with the division or waive the right to MFDR. The division will deem a request to be filed on the date the division receives the request. A decision by the division 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 October 18, 2021. The request for medical fee dispute resolution was received on October 21, 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; 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 that no 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

Medical Fee Dispute Resolution Officer

February 1, 2023

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 electrónico CompConnection@tdi.texas.gov.