



Medical Fee Dispute Resolution Findings and Decision

General Information

Requestor Name

St Joseph Medical Center

Respondent Name

City of Houston

MFDR Tracking Number

M4-23-0530-01

Carrier's Austin Representative

Box Number 29

DWC Date Received

October 26, 2022

Summary of Findings

Dates of Service	Disputed Services	Amount in Dispute	Amount Due
October 5-27, 2021	Physical therapy	\$1,435.14	\$0.00
Total		\$1,435.14	\$0.00

Requestor's Position

"This bill was incorrectly denied for lacking authorization. We were provided authorization # TO-B20210625191622175 for this procedure.."

Amount in Dispute: \$1,435.14

"IMO did render approval for 18 sessions of physical therapy to be rendered from 7/19/21 to 9/30/21. The IMO letter of Determination is attached for your reference with IMO Request ID of 235266."

Response submitted by: IMO Managed Care

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 TAC §134.600 details services requiring prior authorization

Denial Reasons

The insurance carrier reduced or denied the disputed service(s) with the following claim adjustment codes.

- 193 – Original payment decision is being maintained. Upon review it was determined that this claim was processed properly
- 197 – Precertification/authorization/notification absent

Issues

1. Is the insurance carrier's denial supported?
2. Did the requestor waive the right to medical fee dispute resolution?

Findings

1. Regarding date of service October 27, 2021. The insurance denied the disputed services for lack of prior authorization. DWC Rule 134.600 (p)(5)(A) states in pertinent part, non-emergency health care requiring preauthorization includes level I code range for physical medicine and rehabilitation.

The health care provider submitted a copy of the "Preauthorization Determination Letter" dated July 19, 2021. This determination notice covered dates of service July 19, 2021, through September 30, 2021. The disputed dates of service are October 5 – 27, 2021. Insufficient evidence was found to support physical therapy services were authorized after September 30, 2021. The insurance carrier's denial is supported.

2. Regarding dates of service October 5 – 26, 2021. DWC Rule 28 TAC §133.307(c)(1) states:
"Timeliness. A requestor shall timely file with the Division's MDR Section or waive the right to MDR. The Division shall deem a request to be filed on the date the MDR Section receives the request.
(A) A request for medical fee dispute resolution 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.

- (B) A request may be filed later than one year after the date(s) of service if:
- (i) a related compensability, extent of injury, or liability dispute under Labor Code Chapter 410 has been filed, the medical fee dispute shall be filed not later than 60 days after the date the requestor receives the final decision, inclusive of all appeals, on compensability, extent of injury, or liability;
 - (ii) a medical dispute regarding medical necessity has been filed, the medical fee dispute must be filed not later than 60 days after the date the requestor received the final decision on medical necessity, inclusive of all appeals, related to the health care in dispute and for which the insurance carrier previously denied payment based on medical necessity; or
 - (iii) the dispute relates to a refund notice issued pursuant to a division audit or review, the medical fee dispute must be filed not later than 60 days after the date of the receipt of a refund notice.

The date of the service in dispute is October 5 – 26, 2021. The request for medical dispute resolution was received in the Medical Dispute Resolution (MDR) section on October 26, 2022.

Insufficient evidence was found to support an exception to the timely filing requirement. The requestor has waived the right to medical fee dispute for dates of service October 5 -26, 2021.

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

Medical Fee Dispute Resolution Officer

November 18, 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. 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.