

Medical Fee Dispute Resolution Findings and Decision

General Information

Requestor Name

VHS HARLINGEN
HOSPITAL

MFDR Tracking Number

M4-23-2076-01

Respondent Name

TASB RISK MANAGEMENT FUND

Carrier's Austin Representative

Box Number 19

DWC Date Received

April 18, 2023

Summary of Findings

Dates of Service	Disputed Services	Amount in Dispute	Amount Due
December 29, 2021 to December 30, 2021	Hospital Outpatient	\$30,820.00	\$0.00
Total		\$30,820.00	\$0.00

Requestor did not provide a position statement.

Amount in Dispute: \$30,820.00

Respondent's Position

"This request will be standing on the previous allowance of \$0.00, and no additional allowance is recommended as the provider did not follow Rule §133.307 (c)(1)(B) of this paragraph shall be filed not later than one year after the date(s) of service in dispute."

Response Submitted by: TASB Risk Fund

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:

- 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
- 350 – Bill has been identified as a request for reconsideration or appeal
- 351 – No additional reimbursement allowed after review of appeal/reconsideration
- 3775 – Please see special *Note Below*
- ART – TX Rule 133.250(B) a health care provider shall submit a request for reconsideration no later than 10 months form the date of service
- P12 – Workers' Compensation Jurisdictional Fee Schedule Adjustment
- W3 – In accordance with TDI-DWC Rule 134.804, this bill has been identified as a request for reconsideration or appeal
- X29 – The time limit for filing has expired
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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 December 29, 2021 to December 30, 2021. The request for medical fee dispute resolution was received on April 18, 2023. 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

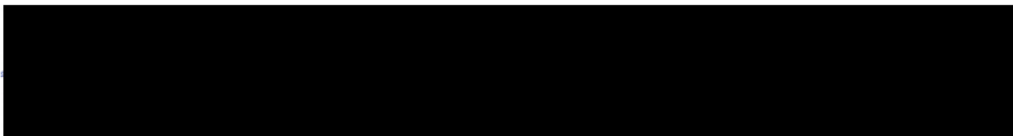
The outcome of this medical fee dispute is based on the evidence presented by the requestor and the respondent at the time of adjudication. Though all evidence may not have been discussed, it was considered.

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



May 24, 2023

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.