

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Medical Review Division regarding a medical fee dispute between the requestor and the respondent named above.

I. DISPUTE

1. a. Whether there should be reimbursement for prescription medicines.
- b. The request was received on March 12, 2002.

II. EXHIBITS

1. Requestor, Exhibit 1:
 - a. TWCC 60 and Letter Requesting Dispute Resolution
 - b. TWCC-66a
2. Respondent, Exhibit 2:
 - a. No response to initial request for dispute resolution.
3. Based on Commission Rule 133.307(g)(3) a request for 2 copies of additional documentation was faxed to the requestor on November 15, 2002. The same request was placed in the insurance carrier's representative's box. Additional information was not submitted by either the requestor or the respondent.
4. Notice of Medical Dispute is reflected as Exhibit #3 of the Commission's case file.

III. PARTIES' POSITIONS

1. Requestor: No position statement submitted.
2. Respondent: No position statement submitted.

IV. FINDINGS

1. Based on Commission Rule 133.307(d) (1) (2), the only dates of service eligible for review are those commencing on March 2, 2001 and extending through September 26, 2001.
2. Total amount in dispute for the prescription medications is \$1,420.32.
3. Based on Commission Rule 133.307 (c) and (g) the requestor has not provided documented evidence that this dispute has been forwarded to the insurance carrier nor has the requestor submitted a copy of the written prescriptions from the treating doctor for medications issued to the injured worker. Therefore, reimbursement is not recommended.

The above Findings and Decision are hereby issued this 09th day of January 2003.

Marguerite Foster
Medical Dispute Resolution Officer
Medical Review Division

MF/mf