



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 Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 8/14/03.

### I. DISPUTE

Whether there should be additional reimbursement for hospital admission of 10/20/02 through 11/7/02.

### II. RATIONALE

During the respondent's audit of the disputed services, the carrier improperly carved out the charges for the implantables, applied the per-diem (§134.401(c)(1)) and reimbursed the requestor a total of \$45,147.12. Per Rule 134.401 (c)(4)(A)(i) this action is allowed only when stop loss is not in effect with a total audited bill below \$40,000.00.

Per Rule 134.401(c)(5)(A), the diagnosis code of 823.00 is included in the trauma codes not eligible for stop loss. Instead as a trauma admission this dispute is subject to fair and reasonable reductions.

Rule 133.307 (g)(3)(D) requires the requestor "to discuss, demonstrate, and justify that the payment amount being sought is fair and reasonable." Rule 133.307 (g)(3)(E) requires that any documentation that contains confidential information regarding a person other than the injured employee for that claim or a party in the dispute must be redacted by the party submitting the documentation, to protect the confidential information and the privacy of the individual. Unredacted information shall not be considered in resolving the medical fee dispute.

The requestor failed to furnish copies of redacted documentation to "justify the payment amount being sought is fair and reasonable." On this basis, additional reimbursement is not recommended.

### IV. DECISION

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is not** entitled to additional reimbursement for hospital admission of 10/20/02 through 11/7/02.

The above Findings and Decision are hereby issued this 30<sup>th</sup> day of July, 2004.

Medical Dispute Resolution Officer  
Medical Review Division