

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 10/20/03.

### I. DISPUTE

Whether there should be reimbursement for 97750-MT, dated 4/16/03, denied as per “N” – not documented and 97018 x 18 units from 5/12/03 through 6/5/03, denied as “G” – global.

### III. RATIONALE

The 1996 Medical Fee Guideline, Medicine Ground Rules (I)(E)(3) states, “Muscle testing (97750-MT) requires a report identifying the service provided, results, and interpretation of the test...”

The medical report dated 4/16/03 does not reflect the required report for muscle testing 97750 MT. On this basis, reimbursement is not recommended.

Section 408.021(a)(1-3) of the Workers Compensation Act states, “(a) An employee who sustains a compensable injury is entitled to all health care reasonably required by the nature of the injury as and when needed. The employee is specifically entitled to health care that:

- (1) cures or relieves the effects naturally resulting from the compensable injury;
- (2) promotes recovery; or
- (3) enhances the ability of the employee to return to or retain employment.”

The requestor submitted SOAP notes covering dates of service from 5/12/03 through 6/5/03 support delivery of service of the disputed paraffin baths 97018. The respondent did not identify what the disputed paraffin baths were global to. On this basis, reimbursement is recommended per Section 408.021(a)(1-3).

### IV. DECISION & ORDER

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is** entitled to reimbursement for 97018 x 18 units in the amount of **\$288.00**. Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby **ORDERS** the Respondent to remit **\$288.00** plus all accrued interest due at the time of payment to the Requestor within 20 days receipt of this Order.

The above Findings, Decision and Order are hereby issued this 21<sup>st</sup> day of May 2004.

Noel L. Beavers  
Medical Dispute Resolution Officer  
Medical Review Division