

MDR Tracking Number: M5-04-0649-01

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 10-31-03.

I. DISPUTE

Whether there should be reimbursement for work hardening program rendered from 1-22-03 through 3-5-03.

II. FINDINGS & RATIONALE

The respondent denied reimbursement for the work hardening program based upon "V – Payment withheld as Peer Review indicates the treatment to be medically unreasonable and/or unnecessary."

On 1-22-03, the provider obtained preauthorization approval for 20 sessions of work hardening from The Hartford, insurance carrier's representative. On 2-19-03, an additional 2 weeks of work hardening was preauthorized; therefore, the insurance carrier is in violation of Rule 133.301(a) by retrospectively denying preauthorized treatment based upon medically unnecessary.

This case will be forwarded to the Division of Compliance and Practice for further investigation.

On February 26, 2004, the Medical Review Division submitted a Notice to requestor to submit additional documentation necessary to support the charges and to challenge the reasons the respondent had denied reimbursement within 14 days of the requestor's receipt of the Notice.

The requestor failed to submit medical records to support fee dispute and challenge insurance carrier's position per Rule 133.307(g)(3)(B). Therefore, reimbursement is not recommended.

III. DECISION

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is not** entitled to reimbursement for CPT code(s) 97545WH and 97546WH.

The above Findings and Decision are hereby issued this 2nd day of April 2004.

Elizabeth Pickle
Medical Dispute Resolution Officer
Medical Review Division