

MDR Tracking Number: M5-04-0690-01

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 10/27/03.

I. DISPUTE

Whether there should be reimbursement for Range of Motion Testing – 95851, dated 3/5/03, and Muscle Testing - 97750-MT, dated 3/7/03, denied on the basis of “G” – global to another service.

II. RATIONALE

Rule 133.307 (g)(3) states, “(3) If the request contains only medical fee disputes, the commission shall notify the parties and require the requestor to send to the commission, two copies of additional documentation relevant to the fee dispute. The additional documentation shall include:...

(B) a copy of any pertinent medical records or other documents relevant to the fee dispute;”

The 1996 Medical Fee Guideline, Medicine Ground Rule (I)(A)(8) states, “Range of motion measurements and muscle testing as performed by the physical or occupation therapist during this re-evaluation are included in this code and shall not be reimbursed separately. The requestor failed to furnish medical documentation as required per Rule 133.307 (g)(3) therefore reimbursement of muscle testing 95851 is not recommended.

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...” A medical report was not submitted by the requestor, as required by MFG, MGR (I)(E)(3). Therefore, reimbursement is not recommended.

III. DECISION & ORDER

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 95851 and 97750-MT.

The above Findings and Decision are hereby issued this 14th day of May 2004.

Noel L. Beavers
Medical Dispute Resolution Officer
Medical Review Division