

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 06-04-02.

I. DISPUTE

Whether there should be reimbursement for CPT codes 97545-WH and 97546-WH for dates of service 07-10-01 through 08-17-01.

II. FINDINGS

On 05-12-04, the Division submitted a Notice to the requestor to notify the requestor that based on review of the disputed issues it was determined that the file contained unresolved medical fee issues only. Per Rule 133.307(g)(3), the Notice also requested the requestor to submit additional documentation necessary to support the fee charges and to challenge the reasons the respondent had denied reimbursement within 14 days of the requestor's receipt of the Notice.

III. RATIONALE

CPT code 97545-WH for dates of service 07-10-01 through 08-17-01 denied with denial code T. CPT code 97546-WH for dates of service 07-10-01 through 08-17-01 denied with denial codes T and F. The carrier denied with T code "outside of treatment guidelines". The treatment guidelines were abolished by statute effective 01-01-02 per Advisory 2002-11; Rule 133.1(a)(12) and Rule 133.304(C). The requestor submitted additional documentation that was reviewed and reflected work conditioning rather than work hardening which was billed by the requestor. Per Rule 413.016 no reimbursement is recommended.

IV. DECISION

The Division has determined that the requestor **is not** entitled to reimbursement for CPT codes 97545-WH and 97546-WH for dates of service 07-10-01 through 08-17-01.

The above Findings and Decision are hereby issued this 8th day of July 2004.

Debra L. Hewitt
Medical Dispute Resolution Officer
Medical Review Division

DLH/dlh