

**MDR Tracking Number: M5-04-4322-01**

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 6/24/04.

**I. DISPUTE**

Whether there should be additional reimbursement for date of service 8/22/03. The Carrier denied reimbursement as "U/N – Appropriate durable medical equipment has been paid. Pulse generator [sic] electrodes paid at fair and reasonable. Other items considered part of provided services. F–Fee Guideline MAR reduction."

**II. FINDINGS**

On 9/15/04, a Notice was sent to 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 this Notice. On 10/29/04, the medical necessity portion of the dispute was dismissed. On 10/29/04, the Requestor submitted an updated Table of Disputed Services as subsequent reimbursement had been made. The only item remaining in dispute is the Implantable Pulse Generator.

**III. RATIONALE**

**HCPCS Code E0756; Implantable Pulse Generator (\$22,525.00)**

The Carrier reimbursed \$8,457.95 for the above listed item. They denied additional reimbursement as "F – Fee Guidelines MAR reduction." Medicare's 2003 Texas DMEPOS Fee Schedule reimbursement is \$6,766.36. Total MAR for this item is  $\$6,766.36 \times 125\% = \$8,457.95$  in accordance with Rule 134.202 (c)(2)(A). Therefore, no additional reimbursement is 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 HCPCS code E0756.

The above Findings and Decision is hereby issued this  1st  day of  November  2004.

Pat DeVries  
Medical Dispute Resolution Officer  
Medical Review Division