



2. The Request for Preauthorization submitted by the Requestor, dated 3-22-05, states the “FCE was valid with a maximum CV of 13% and an average CV of 4%” and requested treatment for the lumbar area of the spine.”
3. Per Rule 134.600 (h) (9) the Requestor provided a copy of the Preauthorization letter, dated 3-28-05, which gives authorization for “ten sessions of Work Conditioning concentrating on Cardiovascular Reconditioning.”
4. After completing this Work Conditioning Program, the injured worker returned to work. Therefore, the program was effective in treating the compensable injury.
5. Recommend reimbursement for the Work Conditioning Program per Rule 134.202 (e)(5)(B)(ii) at \$36.00 per hour. Total reimbursement recommended is \$2,880.00.

**PART VI: GENERAL PAYMENT POLICIES/REFERENCES IMPACTING DECISION**

Texas Labor Code 413.011 and 413.031  
 28 Texas Administrative Code Sec. §133.1(a)(3)(C), 134.1, 134.202, 134.304, 134.600

**PART VII: DIVISION DECISION AND ORDER**

Based upon the documentation submitted by the parties and in accordance with the provisions of Texas Labor Code, Sec. 413.031, the Division has determined that the Requestor is entitled to reimbursement in the amount of \$2,880.00. The Division hereby **ORDERS** the Respondent to remit this amount plus all accrued interest due at the time of payment to the Requestor within 30 days of receipt of this Order.

Ordered by:

Medical Dispute Officer

8-30-06

Authorized Signature

Typed Name

Date of Order

**PART VIII: YOUR RIGHT TO REQUEST JUDICIAL REVIEW**

Appeals of medical dispute resolution decisions and orders are procedurally made directly to a district court in Travis County [see Texas Labor Code, Sec. 413.031(k), as amended and effective Sept. 1, 2005]. An appeal to District Court must be filed not later than 30 days after the date on which the decision that is the subject of the appeal is final and appealable. The Division is not considered a party to the appeal.

**Si prefiere hablar con una persona en español acerca de ésta correspondencia, favor de llamar a 512-804-4812.**