

**SOAH DOCKET NO. 454-13-0142.M4**  
**DWC NO. \_\_\_\_\_**

<b>TEXAS MUTUAL INSURANCE COMPANY,     Petitioner</b>	§ § § § § § § § § §	<b>BEFORE THE STATE OFFICE</b>
v.		<b>OF</b>
<b>DOCTORS HOSPITAL AT RENAISSANCE,     Respondent</b>		<b>ADMINISTRATIVE HEARINGS</b>

**DECISION AND ORDER BASED UPON STIPULATIONS**

Texas Mutual Insurance Company (TMIC) challenges the award of additional reimbursement to Doctors Hospital at Renaissance (DHR) for hospital outpatient services performed at DHR for an injured worker in \_\_\_\_ 2010. The parties have stipulated that TMIC paid the amount due DHR under the applicable fee guideline. The Administrative Law Judge (ALJ) finds that TMIC paid the amount due DHR under the applicable fee guideline. Accordingly, TMIC is not required to pay DHR additional reimbursement for the services provided to the injured worker on the dates of service in issue in this case.

**I. JURISDICTION, NOTICE, AND PROCEDURAL HISTORY**

There are no issues of notice, jurisdiction, or procedural history. Therefore, these matters are addressed in the Findings of Fact and Conclusions of Law without further discussion.

**II. DISCUSSION**

On September 16, 2013, the parties appeared at the hearing on the merits in this matter and agreed to the following: (1) The dispute arises from outpatient hospital services governed by the Texas workers' compensation laws; (2) TMIC has paid the amount due DHR under the

applicable fee guidelines; and (3) TMIC owes no additional payment to DHR for services provided to the injured worker on the designated dates of service.

### **III. FINDINGS OF FACT**

1. Hospital outpatient procedures were performed for an injured worker at Doctors Hospital at Renaissance (DHR) in September 2010.
2. Texas Mutual Insurance Company (TMIC) was the responsible workers' compensation insurer for the injured worker.
3. TMIC reimbursed DHR an amount less than that DHR requested.
4. DHR timely filed a request for medical fee dispute resolution with the Texas Department of Insurance, Division of Workers' Compensation (Division).
5. The Division issued its Medical Fee Dispute Resolution Findings and Decision (MRD Decision), granting DHR additional reimbursement for the September 2010 hospital outpatient service and referred the matter to the State Office of Administrative Hearings (SOAH) for a hearing on the merits.
6. Prior to the issuance of the MRD Decision, TMIC tendered the disputed funds to DHR, and the Division was properly notified that the dispute had been resolved.
7. Based on the Division's decision, TMIC requested a hearing before SOAH.
8. On September 16, 2013, the parties appeared at the scheduled hearing at SOAH. TMIC was represented by attorney Bryan W. Jones. DHR appeared by telephone and was represented by attorney Leticia Recio. The hearing convened and the record closed that day.
9. At the time DHR provided the services, there was an applicable fee guideline for hospital outpatient services.
10. TMIC paid DHR the amount of reimbursement due under the applicable fee guideline.
11. DHR is not entitled to additional reimbursement from TMIC for the hospital outpatient services provided to the injured worker on the dates of service in issue in this case.

### **IV. CONCLUSIONS OF LAW**

1. SOAH has jurisdiction over this proceeding, including the authority to issue a decision and order, pursuant to Texas Labor Code § 413.031 and Texas Government Code chapter 2003.

2. The hospital outpatient services provided to the injured worker were covered by a fee guideline issued by the Division.
3. TMIC paid DHR the amount of reimbursement due under the applicable fee guideline.
4. DHR is not entitled to additional reimbursement from TMIC for the hospital outpatient services provided to the injured worker on the dates of service in issue in this case.

**ORDER**

**IT IS ORDERED** that DHR is not entitled to additional reimbursement from TMIC for the hospital outpatient services that DHR provided to the injured worker on the dates of service in issue in SOAH Docket No. 454-13-0412.M4.

**SIGNED November 14, 2013.**

  
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**JOHN H. BEELER**  
**ADMINISTRATIVE LAW JUDGE**  
**STATE OFFICE OF ADMINISTRATIVE HEARINGS**