Texas Department of Insurance
Division of Workers' Compensation
Medical Fee Dispute Resolution, MS-48
7551 Metro Center Drive, Suite 100 • Austin, Texas 78744-1645
512-804-4000 telephone • 512-804-4811 fax • www.tdi.texas.gov

MEDICAL FEE DISPUTE RESOLUTION FINDINGS AND DECISION

GENERAL INFORMATION

Requestor Name
HIGH PLAINS SURGERY CENTER

Respondent Name
WAUSAU BUSINESS INSURANCE CO

MFDR Tracking Number
M4-09-6872-01

Carrier's Austin Representative
Box Number 01

MFDR Date Received
MARCH 9, 2009

REQUESTOR'S POSITION SUMMARY

Requestor's Position Summary: No position statement found and/or provided

RESPONDENT'S POSITION SUMMARY

Respondent's Position Summary: "Your request for documents related to dispute M4-09-6872-01 was received by our representative in Austin on May 31, 2012. We have not been able to locate any documents related to this dispute. Our log of Medical Dispute Resolution activity indicates receipt of an MR100 letter only with this tracking number but that no DWC60 was ever received.

SUMMARY OF FINDINGS

Dates of Service	Disputed Services	Amount Due
August 26, 2008	Ambulatory Surgical Center Services	$0.00

FINDINGS AND DECISION

This medical fee dispute is decided pursuant to Texas Labor Code §413.031 and all applicable, adopted rules of the Texas Department of Insurance, Division of Workers' Compensation.

Background

1. Former 28 Texas Administrative Code §133.305, amended to be effective May 25, 2008, 33 *Texas Register* 3954, sets out the general procedures for medical dispute resolution.
2. Former 28 Texas Administrative Code §133.307, amended to be effective May 25, 2008, 33 *Texas Register* 3954, sets out the procedures for resolving medical fee disputes.
3. Texas Labor Code §413.011 sets forth provisions regarding reimbursement policies and guidelines.

Findings

Records indicate that Medical Fee Dispute Resolution (formerly Medical Review) docketed a request for dispute resolution from healthcare provider HIGH PLAINS SURGERY CENTER on March 9, 2009. On May 31, 2012 the parties to the dispute were notified that the Division was unable to locate documentation originally submitted associated with dispute M4-09-6872-01. This notice was made by letter which was sent to:

(1) The requestor via regular mail to the address provided on the original DWC-060 form
(2) The respondent via its Austin representative box

The letter to the parties included a request for the following documents:

(1) The original request for dispute resolution
(2) Additional information originally and timely submitted to the Division
(3) Copies of correspondence
(4) Any additional information that the parties would like to provide

To date the Division has no record of receiving any documentation from the requestor, respondent, nor from any representatives of the respondent or requestor.

Former 28 Texas Administrative Code §133.307(f)(1), amended to be effective May 25, 2008, 33 TexReg 3954, states "the division may request other additional information from either party to review the medical fee issues in dispute. The other additional information shall be received by the division within 14 days of receipt of this request." The Division requested additional information on May 31, 2012 from both parties to the dispute and did not receive any documentation from either party. Consequently, the Division finds that the requestor failed to support its request for reimbursement.

Conclusion

The Division concludes the requestor has not supported its request for reimbursement. As a result the amount ordered is $0.00.

ORDER

Based upon the documentation submitted by the parties and in accordance with the provisions of Texas Labor Code §413.031, the Division has determined that the requestor is entitled to $0.00 reimbursement for the disputed services.

Authorized Signature

Signature	Medical Fee Dispute Resolution Officer	November 7, 2014 Date

YOUR RIGHT TO APPEAL

Either party to this medical fee dispute may appeal this decision by requesting a contested case hearing. A completed **Request for a Medical Contested Case Hearing** (form **DWC045A**) must be received by the DWC Chief Clerk of Proceedings within **twenty** days of your receipt of this decision. A request for hearing should be sent to: Chief Clerk of Proceedings, Texas Department of Insurance, Division of Workers Compensation, P.O. Box 17787, Austin, Texas, 78744. The party seeking review of the MDR decision shall deliver a copy of the request for a hearing to all other parties involved in the dispute at the same time the request is filed with the Division. **Please include a copy of the *Medical Fee Dispute Resolution Findings and Decision*** together with any other required information specified in 28 Texas Administrative Code §148.3(c), including a **certificate of service demonstrating that the request has been sent to the other party**.

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