



Medical Fee Dispute Resolution Findings and Decision

General Information

Requestor Name

PRIDE

Respondent Name

National Union Fire Ins Co of Pitts PA

MFDR Tracking Number

M4-25-0563-01

Carrier's Austin Representative

Box Number 19

DWC Date Received

November 5, 2024

Summary of Findings

Dates of Service	Disputed Services	Amount in Dispute	Amount Due
May 20, 2024	97799-CP-CA-GP-GO	\$1,000.00	\$1,000.00
May 22, 2024	97799-CP-CA-GP-GO	\$1,000.00	\$1,000.00
Total		\$2,000.00	\$2,000.00

Requestor's Position

"The above date of service was denied in error. The claim was reduced to \$0 per hour with the rational code of fair and reasonable. The current procedural terminology code 97799-CP-CA is an unlisted physical medicine/rehabilitation service and/or procedure. The modifier CP is for chronic pain management and the CA modifier is for CARF accredited programs. The commission agrees with the commenter's support of the reimbursement rate for interdisciplinary pain management programs in the amount of \$125.00 per hour is the maximum allowed reimbursement for this procedure code."

Amount in Dispute: \$2,000.00

Respondents' Position

"Our supplemental response for the above referenced medical fee dispute resolution is as follows: The bill(s) in question was/were escalated and a review completed. Our bill audit company has determined that additional monies are owed in the amount of \$2,000.00. Interest in the amount of \$68.28 has been added. Attached are an updated copy of the Explanation of Benefits and payment summaries for your records."

Response Submitted by: Gallagher Bassett

Findings and Decision

Authority

This medical fee dispute is decided according to Texas Labor Code §413.031 and applicable rules of the Texas Department of Insurance, Division of Workers' Compensation (DWC).

Statutes and Rules

1. [28 Texas Administrative Code \(TAC\) §133.307](#) sets out the procedures for resolving medical fee disputes.
2. [28 TAC §134.230](#) sets out medical fee guidelines for Return-to-Work Rehabilitation programs.
3. [28 TAC §134.600](#) sets out the preauthorization, concurrent utilization review, and voluntary certification of health care.

Denial Reasons

The insurance carrier reduced payment for the disputed services with the following claim adjustment codes:

- 000050 – 01-Services not authorized as required.
- 50 – These are non-covered services because this is not deemed a 'medical necessity' by the payer.

Issues

1. Is the Insurance Carrier's denial reason supported?
2. Is the requestor entitled to reimbursement?

Findings

1. The requestor seeks reimbursement for CPT Code 97799-CP-CA-GP rendered on May 20, 2024, and May 22, 2024. The insurance carrier denied the charge with denial code "50 - These are non-covered services because this is not deemed a 'medical necessity' by the payer".

28 TAC §134.600 (p) states, "non-emergency health care requiring preauthorization includes: (10) chronic pain management/interdisciplinary pain rehabilitation..."

The requestor submitted a copy of a preauthorization letter issued by Medinsights dated March 27, 2024, preauthorizing Chronic Pain Management Program x 80 hours 97799 with a start date of March 27, 2024, and an end date of June 27, 2024.

28 TAC §134.600 (c) (1) (B) states in pertinent part, "(c) The insurance carrier is liable for all reasonable and necessary medical costs relating to the health care: (1) listed in subsection (p) or (q) of this section only when the following situations occur... (B) preauthorization of any health care listed in subsection (p) of this section that was approved prior to providing the health care..."

The DWC finds that the service in dispute was rendered within the preauthorized timeframes. As a result, the insurance carrier's denial reason is not supported, and the requestor is therefore, entitled to reimbursement for the services in dispute.

2. The fee guideline for chronic pain management services is found in 28 TAC §134.230.

28 TAC §134.230(1)(A) states "Accreditation by the CARF is recommended but not required.

(A) If the program is CARF accredited, modifier "CA" shall follow the appropriate program modifier as designated for the specific programs listed below. The hourly reimbursement for a CARF accredited program shall be 100 percent of the maximum allowable reimbursement (MAR)..."

28 TAC §134.230(5) states, "The following shall be applied for billing and reimbursement of Chronic Pain Management/Interdisciplinary Pain Rehabilitation Programs. (A) Program shall be billed and reimbursed using CPT code 97799 with modifier "CP" for each hour. The number of hours shall be indicated in the unit's column on the bill. CARF accredited programs shall add "CA" as a second modifier. (B) Reimbursement shall be \$125 per hour. Units of less than one hour shall be prorated in 15-minute increments. A single 15-minute increment may be billed and reimbursed if greater than or equal to eight minutes and less than 23 minutes."

The requestor billed 97799-CP-CA-GP; therefore, the disputed program is CARF accredited, and reimbursement shall be 100% of the MAR.

Review of the submitted documentation finds that the requestor billed CPT Code 97799-CP and appended modifier –CA to identify that the chronic pain management program is CARF accredited, as a result, reimbursement is calculated per 28 TAC §134.230(1)(A) and 28 TAC §134.230(5)(A)-(B).

DOS	CPT Code	# Units	Amount in Dispute	IC Paid	MAR \$125/hour	Amount Due
5/20/24	97799-CP-CA-GP-GO	8	\$1,000.00	\$0.00	\$1,000.00	\$1,000.00
5/22/24	97799-CP-CA-GP-GO	8	\$1,000.00	\$0.00	\$1,000.00	\$1,000.00
TOTALS		8	\$2,000.00	\$0.00	\$2,000.00	\$2,000.00

Conclusion

The outcome of this medical fee dispute is based on the evidence presented by the requestor and the respondent at the time of adjudication. Though all evidence may not have been discussed, it was considered.

The DWC finds the requestor has established that reimbursement of \$2,000.00 is due.

Order

Under Texas Labor Code §§413.031 and 413.019, DWC has determined the requestor is entitled to reimbursement for the disputed services. It is ordered that the respondent must remit to the requestor \$2,000.00 plus applicable accrued interest within 30 days of receiving this order in accordance with 28 TAC §134.130.

Authorized Signature

_____	_____	March 27, 2025
Signature	Medical Fee Dispute Resolution Officer	Date

Your Right to Appeal

Either party to this medical fee dispute has a right to seek review of this decision under 28 TAC §133.307, which applies to disputes filed on or after **June 1, 2012**.

A party seeking review must submit DWC Form-045M, *Request to Schedule, Reschedule, or Cancel a Benefit Review Conference to Appeal a Medical Fee Dispute Decision (BRC-MFD)* and follow the instructions on the form. You can find the form at www.tdi.texas.gov/forms/form20numeric.html. DWC must receive the request within **20 days** of when you receive this decision. You may fax, mail, or personally deliver your request to DWC using the contact information on the form or the field office handling the claim. If you have questions about DWC Form-045M, call CompConnection at 1-800-252-7031, option 3 or email CompConnection@tdi.texas.gov.

The party seeking review of the MFDR decision must deliver a copy of the request to all other parties involved in the dispute at the same time the request is filed with DWC. **Please include a copy of the *Medical Fee Dispute Resolution Findings and Decision*** with any other required information listed in [28 TAC §141.1\(d\)](#).

Si prefiere hablar con una persona en español acerca de ésta correspondencia, favor de llamar a 1-800-252-7031, opción 3 o correo electrónico CompConnection@tdi.texas.gov.