



Medical Fee Dispute Resolution Findings and Decision General Information

Requestor Name

Peak Integrated Healthcare

Respondent Name

Starr Indemnity & Liability Co

MFDR Tracking Number

M4-25-0564-01

Carrier's Austin Representative

Box Number 19

DWC Date Received

November 5, 2024

Summary of Findings

Date(s) of Service	Disputed Services	Amount in Dispute	Amount Due
August 21, 2024	99204	\$341.38	\$0.00
Total		\$341.38	\$0.00

Requestor's Position

"AFTER RECONSIDERATION WE WERE AGAIN DENIED FOR SAME REASON STATING 'information documented does not support this level service'. AGAIN THIS IS INCORRECT AND DOCTOR HAS DOCUMENTED THE TIME ON THE ENCOUNTER OF 45 MINUTES WHICH DEMONSTRATES THAT IT MEETS THE BILLING OF A 99204 CODE."

Amount in Dispute: \$341.38

Respondent's Position

"The submitted documents indicate Problem: Moderate; Data: None; Risk: Low. The documentation must meet 2 of the 3 key components for the level of office visit that is billed. As this is a No Downcode State, the denial will be upheld."

Response Submitted by: Gallagher Bassett on behalf of Starr Indemnity & Liability Co

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 §134.203 sets out the fee guideline for professional medical services.
3. 28 TAC §133.210 sets out medical documentation requirements for reimbursement of medical services.

Denial Reasons

The insurance carrier denied the payment for the disputed service with the following claim adjustment codes:

- 150-2, 90168 – Payment adjusted because the payer deems the information submitted does not support this level of service.
- 193, 90563 – Original payment decision is being maintained. Upon review, it was determined that this claim was processed properly.
- P12-3 – Workers' jurisdictional fee schedule adjustment.
- 00663-1 – Reimbursement has been calculated based on the state guidelines.
- 309 – The charge for this procedure exceeds the fee schedule allowance.
- 5283 – Additional allowance is not recommended as this bill was reviewed in accordance with state guidelines, usual and customary policies, provider's contract, or carrier decision.
- 5405 – This charge was reviewed through the clinical validation program.
- 5352 – CV: Service reduced/denied as Level of E&M code submitted is not supported by documentation.
- 6249 – After review of the bill and the medical record, this service is best described by 99203. Submitted documentation did not meet at least 2 of the 3 medical decis....
- 5721 – To avoid duplicate bill denial, for all reconsiderations/ adjustments/ additional payment requests, submit a copy of this EOR or clear notation that recon is ...
- Note: After review of the bill and the medical record, this service is best described by 99213. Submitted documentation did not meet at least 2 of 3 medical decision-making components required for 99214. Lacking moderate complexity data and moderate complexity risk.

Issues

1. What rules apply to the disputed services?
2. Is the requestor entitled to reimbursement for CPT Code 99204?

Findings

1. The dispute concerns an evaluation and management service billed under CPT code 99204. The division finds that 28 TAC §133.210(c)(1) applies to reimbursement of CPT code 99204.

28 TAC §133.210(c)(1) sets out medical documentation requirements, stating in pertinent part "In addition to the documentation requirements of subsection (b) of this section, medical bills for the following services shall include the following supporting documentation: the two highest Evaluation and Management office visit codes for new and established patients: office visit notes/report satisfying the American Medical Association requirements for use of those CPT codes..."

The division finds that [28 TAC §134.203](#) applies to billing of CPT code 99204.

28 TAC §134.203(b)(1) states, "For coding, billing, reporting, and reimbursement of professional medical services, Texas workers' compensation system participants shall apply the following: (1) Medicare payment policies, including its coding; billing; correct coding initiatives (CCI) edits; modifiers; bonus payments for health professional shortage areas (HPSAs) and physician scarcity areas (PSAs); and other payment policies in effect on the date a service is provided with any additions or exceptions in the rules."

2. The requestor is seeking reimbursement in the amount of \$341.38 for CPT Code 99204 rendered on August 21, 2024.
 - CPT Code 99204 is defined as, "Office or other outpatient visit for the evaluation and management of a new patient, which requires a medically appropriate history and/or examination and moderate level of medical decision making (MDM). When using time for code selection, 45-59 minutes of total time is spent on the date of the encounter."
 - The American Medical Association (AMA) CPT Code and Guideline Changes, effective January 1, 2021, can be found at: <https://www.ama-assn.org/system/files/2019-06/cpt-office-prolonged-svs-code-changes.pdf>. In summary, CPT 99204 documentation must contain all two out of three of the following elements: 1) moderate level of number and complexity of problems addressed 2) moderate level of amount and/or complexity of data to be reviewed and analyzed 3) moderate risk of morbidity/mortality of patient management **OR** must document 45-59 minutes of total time spent on the date of patient encounter.
 - An interactive E&M scoresheet tool is available at: <https://www.novitas-solutions.com/webcenter/portal/MedicareJL/EMScoreSheet>
 - A review of submitted medical documentation finds that a moderate level of MDM was

not met in the elements of 1) Complexity of problems addressed 2) Moderate risk of morbidity/mortality of patient management. Submitted medical record shows no documentation of face-to-face time spent with the patient and/or the family. For these reasons, medical documentation submitted did not meet AMA criteria for reimbursement of CPT code 99204.

- The division finds that the requestor has not established that reimbursement is due for CPT code 99204 rendered on August 21, 2024. As a result, reimbursement cannot be recommended.

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 Division finds the requestor has not established that reimbursement is due.

ORDER

Under Texas Labor Code §§413.031, the Division has determined the requestor is entitled to \$0.00 reimbursement for the disputed services.

Authorized Signature

_____	_____	December 11, 2024
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, please 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.