



## Medical Fee Dispute Resolution Findings and Decision

### General Information

**Requestor Name**

Midland Memorial Hospital

**Respondent Name**

Texas Mutual Insurance Company

**MFDR Tracking Number**

M4-25-1451-01

**Carrier's Austin Representative**

Box Number 54

**Date Received**

February 26, 2025

### Summary of Findings

Dates of Service	Disputed Services	Amount in Dispute	Amount Due
February 13, 2024	Emergency Hospital Services	\$21,312.97	\$0.00

### Requestor's Position

"This bill incorrectly denied for timely filing. The deadline was 5/18/24. Per initial EOB, the bill was received 4/26/24."

**Amount in Dispute:** \$21,312.97

### Respondent's Position

"The disputed date of service 2/13/2024 to 2/23/2024 is greater than one year from the TDI/DWC date-stamp of February 26, 2025, listed on the requestor DWC60 packet and has waived its right to DWC MDR. Our position is that no payment is due."

**Response Submitted by:** Texas Mutual Insurance Company

# 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](#)) [§133.305](#) sets out the procedures for resolving medical disputes.
2. [28 TAC §133.307](#) sets out the procedures for resolving medical fee disputes.

## **Denial Reasons**

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

- CAC-P12 - Workers' compensation jurisdictional fee schedule adjustment.
- CAC-18 - Exact duplicate claim/service.
- CAC-29 - The time limit for filing has expired.
- 305 - The implant is included in this billing and is reimbursed at the higher percentage calculation.
- 715 - Service previously billed with different/incorrect codes, provider, claim, etc. processed as correction only-no addtl payment.
- 731 - Per 133.20(6) provider shall not submit a medical bill later than the 95th day after the date the service.

## **Issues**

Has the requestor waived their right to medical fee dispute resolution?

## **Findings**

The requestor seeks payment in the amount of \$21,312.97, for medical services provided on February 13, 2024.

28 TAC §133.307 (c) (1) states in the pertinent part, "Timeliness. A requestor must timely file the request with the division or waive the right to MFDR. The division will deem a request to be filed on the date the division receives the request. A decision by the division that a request was not timely filed is not a dismissal and may be appealed pursuant to subsection (g) of this section."

The service in question was performed on February 13, 2024. The medical fee dispute was received by the Division on February 26, 2025. This date is more than a year following the in-question date(s) of service.

28 TAC §133.307 (c) (1) (A) states, "A request for MFDR that does not involve issues identified in subparagraph (B) of this paragraph shall be filed no later than one year after the date(s) of service in dispute."

A review of the submitted documentation finds that the disputed service(s) does not involve issues identified in 28 TAC §133.307 (c) (1) (B). The Division concludes that the requestor has failed to timely file this dispute with the Division; consequently, the requestor has waived the right to medical fee dispute resolution.

### **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 and 413.019, the Division has determined the requestor is entitled to \$0.00 reimbursement for the disputed services.

### **Authorized Signature**

_____	_____	March 21, 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](http://www.tdi.texas.gov/forms/form20numeric.html). The Division must receive the request within **20 days** of when you receive this decision. You may fax, mail, or personally deliver your request to the Division using the contact information on the form or the field office handling the claim. If you have questions about the DWC Form-045M, call CompConnection at 1-800-252-7031, option 3 or email [CompConnection@tdi.texas.gov](mailto: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 the Division. **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](mailto:CompConnection@tdi.texas.gov).