



Medical Fee Dispute Resolution Findings and Decision

General Information

Requester Name

Peak Integrated Healthcare

Respondent Name

Federated Reserve Insurance Co.

MFDR Tracking Number

M4-25-2857-01

Insurance Carrier's Austin Representative

BOX 19 Flahive Ogden & Latson

DWC Date Received

July 10, 2025

Summary of Findings

Date(s) of Service	Disputed Services	Amount in Dispute	Amount Due
March 25, 2025	99080 Medical Documentation	\$50.00	\$0.00
Total		\$50.00	\$0.00

Requester's Position

"Carrier is NOT REIMBURSING according to the attached documentation explaining the Rule 134.120 – reimbursement for medical documentation. The treating doctor may be reimbursed by the insurance carrier for copies of medical records sent to the designated doctor."

Amount In Dispute: \$50.00

Respondent's Position

"Rule 134.120 has seven subsections. However, none of those subsections implies to the circumstances in this case. There is nothing in that rule that requires a carrier to reimburse a provider who has submitted medical records to the designated doctor."

Response Submitted By: Flahive, Ogden & Latson

Findings and Decision

Authority

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

Statutes and Rules

1. 28 Texas Administrative Code (TAC) Section [133.307](#) sets out the procedures for resolving medical fee disputes.
2. 28 TAC Section [127.10](#) provides the general procedures for designated doctor examinations.
3. 28 TAC Section [133.10](#) sets out the requirements for a complete medical bill.
4. 28 TAC Section [134.120](#) sets out the fee guidelines for medical documentation.
5. 28 TAC Section [134.203](#) sets out the fee guidelines for professional medical services.

Adjustment Reasons

The insurance carrier denied payment for the disputed services with the following reasons:

1. 97 – The benefit for this service is included in the payment/allowance for another service/procedure that has already been adjudicated.
2. H39 – No allowance was recommended as this procedure has a Medicare status of "B" (Bundled).
3. Note: "Per review of the reconsideration received, charge(s) for 99080 remains denied and can be reviewed upon a correct bill with the correct modifier. Thank you."

Issues

1. What is DWC considering in this medical fee dispute?
2. Is the insurance carrier's denial of payment supported?
3. Is the requester entitled to reimbursement?

Findings

1. The requester is seeking reimbursement of \$50.00 for sending medical documentation to a designated doctor billed with procedure code 99080 for one unit on date of service March 25, 2025. The insurance carrier denied payment in full. DWC will review this service for reimbursement.
2. Explanations of benefits dated April 29, 2025, and June 23, 2025, denied payment stating, "No allowance was recommended as this procedure has a Medicare status of "B" (Bundled)," and "The benefit for this service is included in the payment/allowance for another service/procedure that has already been adjudicated."

Although DWC adopts Medicare payment policies by reference in applicable rule 28 TAC §134.203, the relevant portion of paragraph (a)(7) of that rule states that specific provisions

contained in the Texas Labor Code or DWC rules shall take precedence over any conflicting provision adopted or utilized by CMS in administering the Medicare program.

DWC finds that the CMS provision that bundles the service in question is in direct conflict with 28 TAC §127.10(a)(1), which states, in relevant part, "The treating doctor and insurance carrier must provide the designated doctor copies of all the injured employee's medical records in their possession relating to the medical condition to be evaluated by the designated doctor ... (B) The cost of copying must be reimbursed in accordance with §134.120 of this title ..."

DWC finds that submission of medical documents to a designated doctor is a covered service and not subject to Medicare bundling. The insurance carrier's denial of payment for this reason is not supported.

3. In reviewing the submitted documentation, DWC finds that the requester did not support submission of documents to the designated doctor on date of service March 25, 2025. Therefore, DWC finds that the requester is not entitled to the requested reimbursement.

Conclusion

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

DWC finds the requester has not established that reimbursement is due.

Order

Under Texas Labor Code Sections [413.031](#) and [413.019](#), DWC has determined the requester is entitled to \$0.00 reimbursement for the disputed services.

Authorized Signature

Signature

Medical Fee Dispute Resolution Officer

February 2, 2026

Date

Your Right to Appeal

Either party to this medical fee dispute has a right to seek review of this decision under 28 TAC Section [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 800-252-7031, option three 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 this *Medical Fee Dispute Resolution Findings and Decision*** with any other required information listed in 28 TAC Section [141.1\(d\)](#).

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