

**INDEPENDENT BILLING REVIEW FINAL DETERMINATION**

April 2, 2015

[REDACTED]  
[REDACTED]  
[REDACTED]

<b>IBR Case Number:</b>	CB15-0000022	<b>Date of Injury:</b>	04/04/2011
<b>Claim Number:</b>	[REDACTED]	<b>Application Received:</b>	01/09/2015
<b>Claims Administrator:</b>	[REDACTED]		
<b>Provider Name:</b>	[REDACTED]		
<b>Employee Name:</b>	[REDACTED]		
<b>Disputed Codes:</b>	99358, 96101, 96116		

Dear [REDACTED]

MAXIMUS Federal Services has completed the Independent Bill Review (“IBR”) of the above workers’ compensation case. This letter provides you with the IBR Final Determination and explains how the determination was made.

**Final Determination: UPHOLD. MAXIMUS Federal Services has determined that no additional reimbursement is warranted. The Claims Administrator’s determination is upheld and the Claim Administrator does not owe the Provider additional reimbursement. A detailed explanation of the decision is provided later in this letter.**

The determination of MAXIMUS Federal Services and its expert reviewer is deemed to be the Final Determination of the Administrative Director of the Division of Workers’ Compensation. This determination is binding on all parties. In certain limited circumstances, you can appeal the Final Determination. Appeals must be filed with the Workers’ Compensation Appeals Board within 20 days from the date of this letter. For more information on appealing the final determination, please see California Labor Code Section 4603.6(f).

Sincerely,

Paul Manchester, MD  
Chief Coding Reviewer

cc: [REDACTED]  
[REDACTED]

## **DOCUMENTS REVIEWED**

Pertinent documents reviewed to reach the determination:

- The Independent Bill Review Application
- The original billing itemization
- Supporting documents submitted with the original billing
- Explanation of Review in response to the original bill
- Request for Second Bill Review and documentation
- Supporting documents submitted with the request for second review
- The final explanation of the second review
- Official Medical Fee Schedule
- Negotiated contracted rates: Not available
- National Correct Coding Initiatives
- Other: OMFS Physician's Fee Schedule

## **HOW THE IBR FINAL DETERMINATION WAS MADE**

MAXIMUS Federal Services Chief Coding Specialist reviewed the case file and researched pertinent coding and billing standards to reach a determination. In some cases a physician reviewer was employed to review the clinical aspects of the care to help make a determination. He/she has no affiliation with the employer, employee, providers or the claims administrator. The expert reviewer was selected based on his/her clinical experience, education, background, and expertise in the same or similar specialties that evaluate and/or treat the medical condition and disputed items/services.

## ANALYSIS AND FINDING

Based on review of the case file the following is noted:

- **ISSUE IN DISPUTE:** Provider seeking remuneration for CPT 99358, 96101 and 96116 performed on 09/25/2014.
- Claims Administrator Reimbursement Rational: “Per NCCI outpatient code editor, your services have been disallowed.”
- Pursuant Title 8 CCR Physician Fee Schedule 1/1/2014, § 9789.12.13 Correct Coding Initiative: (a) The National Correct Coding Initiative Edits (“NCCI”) adopted by the CMS shall apply to payments for medical services under the Physician Fee Schedule. Except where payment ground rules differ from the Medicare ground rules, claims administrators shall apply the NCCI physician coding edits and medically unlikely edits to bills to determine appropriate payment. Claims Administrators shall utilize the National Correct Coding Initiative Coding Policy Manual for Medicare Services. If a billing is reduced or denied reimbursement because of application of the NCCI, the claims administrator must notify the physician or qualified non-physician practitioner of the basis for the denial, including the fact that the determination was made in accordance with the NCCI.
- CMS 1500 form reflects 99358, 96101 x 12 units, 96116 x 2 units billed with Evaluation and Management Code 99205.
- Based on the NCCI edits code pair exist between CPT 99205 and 96101; and 99205 and 96116.
- Modifier Indicator column shows ‘1’ which states if a proper modifier is appended to the correct code and documentation supports the use of the procedure code then the edit may be overridden.
- A modifier was not appended to the column 2 codes: CPT 96101 or 96116. Reimbursement is not recommended for the billed codes 96101 or 96116.
- Per Title 8, CCR §9789.12.8. CPT Code 99358 is listed as status code "B" in column D of the Medicare Physician Fee Schedule Relative Value File which is effective as the OMFS for dates of service 1/1/2014. Status code "B" means: "Bundled Code. Payment for covered services are always bundled into payment for other services not specified...." No reimbursement allowed.

The table below describes the pertinent claim line information.

### DETERMINATION OF ISSUE IN DISPUTE: Reimbursement of code 99358, 96101 and 96116.

Date of Service: 9/25/2014							
Physician Services							
Service Code	Provider Billed	Plan Allowed	Dispute Amount	Assist Surgeon	Multiple Surgery	Workers' Comp Allowed Amt.	Notes
99358	\$150.00	\$0.00	\$150.00	N/A	N/A	\$0.00	<b>DISPUTED SERVICE:</b> See Analysis.

96101	\$1,800.00	\$ 0.00	\$1600.00	N/A	N/A	\$0.00	<b>DISPUTED SERVICE:</b> See Analysis.
96116	\$300.00	\$0.00	\$300.00	N/A	N/A	\$0.00	<b>DISPUTED SERVICE:</b> See Analysis.
99205	N/A	N/A	N/A	N/A	N/A	N/A	<b>DISPUTED SERVICE:</b> See Analysis.

National Correct Coding Initiative information:

<b>File</b>	<b>Column 1</b>	<b>Column 2</b>	<b>Modifier</b>
Physician Version Number: 20.2	99205	96101	Allowed
Physician Version Number: 20.2	99205	96116	Allowed

Copy to:

[REDACTED]  
[REDACTED]  
[REDACTED]

Copy to:

[REDACTED]  
[REDACTED]  
[REDACTED]