

INDEPENDENT BILLING REVIEW FINAL DETERMINATION

May 11, 2015

[REDACTED]
[REDACTED]
[REDACTED]

IBR Case Number:	CB15-0000230	Date of Injury:	04/04/1992
Claim Number:	[REDACTED]	Application Received:	02/18/2015
Claims Administrator:	[REDACTED]		
Assigned Date:	02/23/2015		
Provider Name:	[REDACTED]		
Employee Name:	[REDACTED]		
Disputed Codes:	99215-25, WC002 & J7321-59 LT		

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: OVERTURN. MAXIMUS Federal Services has determined that additional reimbursement is warranted. The Claims Administrator’s determination is reversed and the Claim Administrator owes the Provider additional reimbursement of \$195.00 for the review cost and \$10.96 in additional reimbursement for a total of \$205.96. A detailed explanation of the decision is provided later in this letter.

The Claim Administrator is required to reimburse the Provider a total of \$205.96 within 45 days of the date on this letter per section 4603.2 (2a) of the California Labor Code. 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, M.D., M.P.H.
Medical Director

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

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 99215 Evaluation and Management service, WC002 Primary Treating Physician PR-2 Progress Report and J7321-59 Supartz Injection provided on 08/06/2014.**
- The Claims Administrator denied **99215** service with the following rationale: “No separate payment was made because the value of the service is included within the value of another service performed on the same day.”
- The determination of an Evaluation and Management service for Established Patients require **two of three** key components in the following areas (AMA CPT 1995):
 - 1) **History:** Chief Complaint, History of Present Illness, Review of Systems (Inventory of Body Systems), Past Family and Social History.
 - 2) **Examination:** “The 1995 documentation guidelines state that the medical record for a general multi-system examination should include findings about eight or more organ systems.”
 - 3) **Medical Decision Making Medical** decision making refers to the complexity of establishing a diagnosis and/or selecting a management option, which is determined by considering the following factors:
 - a. The number of possible diagnoses and/or the number of management options that must be considered;
 - b. The amount and/or complexity of medical records, diagnostic tests, and/or other information that must be obtained, reviewed, and analyzed; and

- c. The risk of significant complications, morbidity, and/or mortality as well as comorbidities associated with the patient's presenting problem(s), the diagnostic procedure(s), and/or the possible management options.
- 1995/1997 Evaluation and Management Levels/Elements (History / Exam / Medical Decision Making), Established Patient:
 - 99212: Problem Focused / Problem Focused / Straight Forward
 - 99213: Expanded Problem Focused / Expanded Problem Focused / Low Complexity
 - 99214: Detailed History / Detailed Exam / Moderate Complexity
 - **99215 Comprehensive: extended HPI, ROS that is directly related to the problems identified in the HPI plus all additional body systems, and a complete PMFSH.**
- **Time:** In the case where counseling and/or coordination of care dominates (more than 50%) of the physician/patient and/or family encounter (face-to-face time in the office or other outpatient setting or floor/unit time in the hospital or nursing facility), time is considered the key or controlling factor to qualify for a particular level of E/M services. The total length of time of the encounter (faced-to-face) should be documented and the record should **describe the counseling and/or activities to coordinate care.**

Additional Evaluation and Management information can be found in the AMA CPT code book or on-line at CMS.Gov.

- Abstracted information for date of service 08/06/2014 did not result in a separately identifiable level 5 Evaluation and Management service.

Time Factor for date of service:

- N/A

- Based on the aforementioned documentation and guidelines, reimbursement for Evaluation and Management Level 99215 is not supported as the submitted report reflects the Injured Worker seen for Supartz Joint Injection and the Provider was reimbursed for this service.
- The Claims Administrator denied **WC002** reimbursement stating the report “does not meet the guidelines listed in CCR 9785.”
- DWC states, “The purpose of the 45-day rule in California Code of Regulations, Title 8, section 9785(f)(8) is to make sure that in the case of continuing treatment, that the patient’s progress is monitored no less than once every 45 days.” However, “Within a 45-day period, the primary treating physician can bill for as many PR-2’s as are **medically necessary.**”
- The Provider is the “Primary Treating Physician.” PR-2 indicates the Injured Worker “**dispensed**” generic Flexeril. The dispensed medication reflects on-going treatment. As such, reimbursement for a PR-2 report is indicated.
- **CMS 1500 form reflects J7321 Supartz x 2.5 units.**
- Claims Administrator reimbursed the Provider for 1 unit.
- Documentation reflects “25/2.5 ml” pre-filled syringe utilized.

- J7321 per Medi-cal payment system is as follows: “The usual dose is **2.5 ml** of sodium hyaluronate (Supartz) into the affected knee at weekly intervals for up to five weeks for a total of five injections per affected knee. Some patients may experience benefit with three injections at weekly intervals.”
- The units reflected on the CMS 1500 form reflects the unit of measure for the medication and not the unit cost. The unit cost is 1 (one) unit as reflected in the documentation.
- Based on the aforementioned documentation and guidelines, additional reimbursement is not warranted for J7321.
- Contractual agreement not available for IBR, 92% OMFS is reflected on the EOR’s and will be factored into the reimbursement formula.

The table below describes the pertinent claim line information.

DETERMINATION OF ISSUE IN DISPUTE: 99215-25, WC002 & J7321-59 LT

Date of Service: 08/06/2014							
Physician Services							
Service Code	Provider Billed	Plan Allowed	Dispute Amount	Assist Surgeon	Units	Workers' Comp Allowed Amt.	Notes
99215	\$217.29	\$0.00	\$217.79	N/A	1	\$0.00	Refer to Analysis
WC002	\$15.48	\$0.00	\$15.48	N/A	1	\$10.96	Refer to Analysis
J7321	\$270.33	\$135.02	\$135.31	N/A	2.5	\$135.02	Refer to Analysis

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