

MAXIMUS FEDERAL SERVICES, INC.

Independent Bill Review
P.O. Box 138006
Sacramento, CA 95813-8006
Fax: (916) 605-4280

9/9/2013

Independent Bill Review Final Determination Reversed

[REDACTED]
[REDACTED]
[REDACTED]

Re: Claim Number: [REDACTED]
Claims Administrator name: [REDACTED]
Date of Disputed Services: 2/6/2013 – 2/6/2013
MAXIMUS IBR Case: CB13-0000153

Dear [REDACTED]

Determination:

A Request for Independent Bill Review (IBR) was assigned to MAXIMUS Federal Services on 7/8/2013, by the Administrative Director of the California Division of Workers' Compensation pursuant to California Labor Code section 4603.6. MAXIMUS Federal Services has determined that the **Claims Administrator's determination is reversed. The Claims Administrator is required to reimburse you the IBR fee of \$335.00 and the amount found owing of \$254.38, for a total of \$589.38.**

Pertinent Records and Other Appropriate Information Relevant to the Determination Reviewed:

The following evidence was used to support the decision:

- 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 or negotiated contract: OMFS
- Other: OMFS General Information and Instructions and Evaluation and Management section

Supporting Analysis:

The dispute regards the payment amount for Prolonged evaluation and management services. The Provider billed CPT 99358 times 12 units, was reimbursed \$168.98 and is requesting additional reimbursement of \$254.38. The Claims Administrator reimbursed five units of CPT 99358 indicating "The charge exceeds the Official Medical Fee Schedule of CA."

The provider submitted the following billed charges for date of service 2/6/2013:

CPT 99244 - Office consultation for a new or established patient.

CPT 99354 - Prolonged physician service in the office or other outpatient setting requiring direct (face-to-face) patient contact beyond the usual service; first hour.

CPT 99358 - Prolonged evaluation and management service before and/or after direct (face-to-face) patient care (eg. review of extensive records, job analysis, evaluation of ergonomic status, work limitation, work capacity, or communication with other professionals and/or the patient/family); each 15 minutes.

CPT 99080 - Special reports such as insurance forms, more than the information conveyed in the usual medical communications or standard reporting form.

Per review of the OMFS General Information and Instructions Prolonged Service Codes section, where the physician is required to spend 15 or more minutes before and/or after direct (face-to-face) patient contact in review of extensive records, tests or in communication with other professionals, the CPT code 99358 may be charged in addition to the basic charge for the appropriate Evaluation and Management code. OMFS Evaluation and Management code description indicates the code 99358 is used when a physician provides prolonged service not involving direct (face-to-face) care that is beyond the usual service in either the inpatient or outpatient setting. The code 99358 is to be reported in addition to other physician service, including evaluation and management services at any level and report charge(99080).

Based on a review of the final explanation of review, it appears the Claims Administrator reimbursed the Provider for five units of CPT code 99358. The explanation of review did not indicate a specific reason for the partial reimbursement of the code 99358. The Provider billed the code 99358(12 units), and Evaluation and Management service and report charge (99080). The Provider documented at the beginning of the report, one hour and thirty minutes of record review and one hour and thirty minutes of research time spent reviewing ACOEM Guidelines and/or Mercy Guidelines. The Provider documented and billed for twelve units of CPT 99358. The partial payment of the CPT 99358 was inappropriate.

The additional reimbursement of \$254.38 for the Official Medical Fee Schedule code 99358 is warranted based on the following calculation:

OMFS Allowance 99358 (per 15 minutes) = \$36.34

Provider billed 180 minutes = 12 units

Recommended Reimbursement \$436.08 - 168.98 (previously paid) = \$254.38

The chart below provides a comparison of billed charges and reimbursement rates for the codes and dates of services at issue.

Validated Code	Validated Modifier	Validated Modifier	Validated Units	Dispute Amount	Total Fee Schedule Allowance	Provider Paid Amount	Allowed Recommended Reimbursement	Fee Schedule Utilized
99358			12	\$436.08	\$436.08	\$168.98	\$254.38	OMFS

MAXIMUS Federal Services, as the Independent Bill Review Organization, has determined the Claims Administrator owes the Provider additional reimbursement. The Claims Administrator is required to reimburse the Provider for the IBR application fee (**\$335.00**) and the OMFS amount for CPT 99358 (\$436.08-\$168.98=\$254.38) for a total of \$589.38.

The Claims Administrator is required to reimburse the provider \$589.38 within 45 days of date on this notice per section 4603.2 (2a). This decision constitutes the final determination of the Division of Workers' Compensation Administrative Director, is binding on all parties, and is not subject to further appeal except as specified in Labor Code section 4603.6(f).

Sincerely,

[Redacted]

Copy to:

[Redacted]
[Redacted]
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Copy to:

[Redacted]
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