

MAXIMUS FEDERAL SERVICES, INC.

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

Independent Bill Review Final Determination Reversed

9/5/2014

[REDACTED]

IBR Case Number:	CB13-0000155	Date of Injury:	8/5/2009
Claim Number:	[REDACTED]	Application Received:	6/17/2013
Claims Administrator:	[REDACTED]		
Date(s) of service:	1/9/2013 – 1/9/2013		
Provider Name:	[REDACTED]		
Employee Name:	[REDACTED]		
Disputed Codes:	CPT 99358 and 99080		

Dear [REDACTED]:

Determination:

A Request for Independent Bill Review (IBR) was assigned to MAXIMUS Federal Services on 3/24/2014, 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 \$581.44, for a total of \$916.44.**

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

Supporting Analysis:

The dispute regards the denial of a Prolonged Evaluation and Management service (99358) and a report (99080). The Claims Administrator denied the Prolonged Evaluation and Management service code 99358 indicating "Review of providers charts, MRI, testing, etc. is an integral part of E/M process and is not beyond the usual service in outpatient setting per OMFS pg. 70; this is performed in order to aid the physician in diagnosing the patient and is including in E/M." The Claims Administrator denied the report code 99080 indicating "This report does not fall under the guidelines for a Separately Reimbursable Report found in the General Instructions Section of the Physicians' Fee Schedule."

CPT 99358 - Prolonged Evaluation and Management service before and/or after direct (face-to-face) patient care (e.g., review of extensive records, job analysis, evaluation of ergonomic status, work limitations, work capacity, or communication with other professionals and/or the patient/family); each fifteen minutes.

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

In review of the OMFS Evaluation and Management section, code 99358 is used when a physician provides prolonged service not involving direct care that is beyond the usual service in either the inpatient or outpatient setting. The CPT code 99358 may be used when the physician is required to spend 15 or more minutes before and/or after direct (face-to-face) patient contact in reviewing extensive records, tests or in communication with other professionals. The Provider submitted a "Report on Review of Medical Records." The report documented a total of four (4) hours of time spent in review of 488 pages of medical records. The report contained a list of treating physicians medical records reviewed for dates of service ranging from 8/14/2009 thru 9/6/2012 related to the injury occurring 8/5/2009. The documentation supports the reimbursement of CPT 99358 (16 units).

The second disputed code is the report code 99080. The Independent Bill Review (IBR) identified in the OFMS, General Information and Instructions that a Separately Reimbursable Treatment Report where an office visit is included, the report charge is payable in addition to the underlying Evaluation and Management service for an office visit meeting the following reports criteria and components.

- Primary Treating Physicians' Progress Reports, PR-2
- Final Treating Physicians' Report of Disability Status (DWC Form RU-90)
- Primary Treating Physicians' Final Discharge Report, PR-2
- Primary Treating Physicians' Permanent and Stationary Report
- Consultation Report

MAXIMUS requested a copy of the Claims Administrator's or other requesting party's written request for the special report from the Provider. The documentation was not received. The type of report submitted by the Provider (Report on Review of Medical Records) was not a Primary Treating Physician Progress Report (PR-2), or a separately reimbursable report as described in the OMFS General Information and Instructions Separately Reimbursable Treatment Reports section, therefore, the denial of the report code 99080 by the Claims Administrator was correct.

The additional reimbursement of \$581.44 for the Official Medical Fee Schedule code 99358 x 16 (units) is warranted. There is no additional reimbursement due for the Official Medical Fee Schedule code 99080.

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

Validated Code	Validated Units	Dispute Amount	Total Fee Schedule Allowance	Provider Paid Amount	Allowed Recommended Reimbursement	Fee Schedule Utilized
99358	16	\$581.44	\$581.44	\$0.00	\$581.44	OMFS
99080	26	\$154.83	\$0.00	\$0.00	\$0.00	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 codes 99358 and 99080 (\$581.44) for a total of \$916.44.

The Claims Administrator is required to reimburse the provider \$916.44 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 signature]

Copy to:

[Redacted recipient list]

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