

**INDEPENDENT BILLING REVIEW FINAL DETERMINATION**

December 18, 2014

[Redacted]  
[Redacted]  
[Redacted]

<b>IBR Case Number:</b>	CB14-0001215	<b>Date of Injury:</b>	12/14/2002
<b>Claim Number:</b>	[Redacted]	<b>Application Received:</b>	08/26/2014
<b>Claims Administrator:</b>	[Redacted]	<b>Assignment Date:</b>	10/06/2014
<b>Provider Name:</b>	[Redacted]		
<b>Employee Name:</b>	[Redacted]		
<b>Disputed Codes:</b>	ML104-93		

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 \$250.00 for the review cost and \$1,953.12 in additional reimbursement for a total of \$2,203.12. A detailed explanation of the decision is provided later in this letter.**

The Claim Administrator is required to reimburse the Provider a total of \$2,203.12 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,

[Redacted]

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-Legal 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:

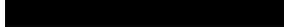
- **ISSUE IN DISPUTE:** Provider seeking full remuneration for ML104-94 services performed on 04/10/2014.
- Claims Administrator denied full payment of services stating, "Payment based on pre-negotiated agreement for this specific service."
- Total Billed Charges: \$3,515.85.
- Provider Reimbursed: \$1,484.38.
- Claims Administrator is not disputing ML104-94 service.
- "Negotiated Contracted Rate not available for IBR.
- Modifier -94: Agreed Medical Examiner, increases fee by 25%.
- In absence of a contractual agreement, Med-Legal OMFS utilized to determine fees.
- Time Factors as stated on AME Report.
  - Face to Face: 3 hours 10 min = 12 Units
  - Record Review: 3 hours 20 min = 391.60
  - Research: As Above
  - Report Prep: 4 hours 20 min
  - Total Units = 44 Units
  - Signed Attestation Page 21 of AME Report.

The table below describes the pertinent claim line information.

**DETERMINATION OF ISSUE IN DISPUTE: Based on information reviewed, additional reimbursement of code ML104 -93 is warranted.**

Date of Service: 04/10/2013							
Med. Legal Services							
Service Code	Provider Billed	Plan Allowed	Dispute Amount	Assist Surgeon	Units	Workers' Comp Allowed Amt.	Notes
ML104-94	\$3,515.85	\$1,484.38	\$2,031.47	N/A	44	\$3,437.50	<b>\$27,500.00 + 25% =                      \$3,437.50 –                      Reimbursed Amount =                      \$1,953.12                      Due Provider</b>

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