

INDEPENDENT BILLING REVIEW FINAL DETERMINATION

December 9, 2014

[REDACTED]
[REDACTED]
[REDACTED]

IBR Case Number:	CB14-0000801	Date of Injury:	10/29/2012
Claim Number:	[REDACTED]	Application Received:	05/28/2014
Claims Administrator:	[REDACTED]	Assignment Date:	07/10/2014
Provider Name:	[REDACTED]		
Employee Name:	[REDACTED]		
Disputed Codes:	26686-F6, 26843-F7, 25295-RT-59 x 2, 26455-F6-F7-F8-F9 x4 and 26433-F6		

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 \$7285.34 in additional reimbursement for a total of \$7535.34. A detailed explanation of the decision is provided later in this letter.

The Claim Administrator is required to reimburse the Provider a total of \$7535.34 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 Fee Schedule
- Negotiated contracted rates: PPO Contract Discount 5%
- National Correct Coding Initiatives
- Medicare and Medicaid Services (CMS) Outpatient Prospective Payment System (OPPS)
- Other: Title 8 California Code of Regulations §9789.11(a)(1) General Information and Instructions Surgical Multiple Procedure Reimbursement Guidelines.

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 is dissatisfied with reimbursement of billed codes 26686-F6, 26843-F7, 25295x2-RT & -RT-59, 26455x4 – F6-F7-F8-F9 and 26433-F6
- Pursuant to Labor Code section 5307.1(g)(2), the Administrative Director of the Division of Workers' Compensation orders that Title 8, California Code of Regulations, sections 9789.30 and 9789.31, pertaining to Hospital Outpatient Departments and [REDACTED] Fee Schedule in the Official Medical Fee Schedule, is amended to conform to CMS' hospital outpatient prospective payment system (OPPS). The Administrative Director incorporates by reference, the Centers for [REDACTED] and [REDACTED]' (CMS) Hospital Outpatient Prospective Payment System (OPPS)

certain addenda published in the Federal Register notices announcing revisions in the [REDACTED] payment rates. The adopted payment system addenda by date of service are found in the Title 8, California Code of Regulations and Section 9789.39(b). Based on the adoption of the CMS hospital outpatient prospective payment system (OPPS), CMS coding guidelines and the hospital outpatient prospective payment system (OPPS) were referenced during the review of this Independent Bill Review (IBR) case.

- Pursuant General Information and Instructions (Title 8 CCR §9789.11(a)(1)), Reimbursement for multiple surgical procedures performed at the same session is calculated as follows: Major(highest valued) procedure: 100% of listed value; Second highest valued procedure: 50% of listed value; Three or more: 25% of listed value.
- Claims Administrator reimbursed \$4297.55 indicating on the Explanation of Review “Any reduction is in accordance with the [REDACTED] Contract. This reimbursement may reflect payment at rates less than your discounted contract rate in accordance with your PPO Network Contract and our access agreement with them.” Claims Administrator also indicated a U401 explanation which states “Multiple procedures reduced 50 percent per fee schedule or Ingenix Relative Actual Charge Data (RACD) or Fairhealth Benchmark Data.” No information was received on this Data and Explanation of Review only shows a 5% discount on billed charge, not per OPPS.
- Contract received documents Hospital agrees that in the even a Member, who is covered for the workers’ Compensation benefits by an Affiliate or under a workers’ compensation arrangement administered by an Affiliate, seeks services for a work-related illness or injury, Hospital shall provide such Hospital Services as are Medically Necessary. As payment for such Hospital Services rendered, Hospital agrees to accept an amount no less than ninety-five percent (95%) of the then current California Workers’ Compensation Fee Schedule. Reflection of Explanation of Review shows a 5% discount was applied to reimbursement.

DETERMINATION OF ISSUE IN DISPUTE: Based on information reviewed, additional reimbursement of codes 26686, 26843 and 25295x2 is warranted. The table below describes the pertinent claim line information.

Date of Service: 8/5/2013						
Service Code	Provider Billed	Plan Allowed	Dispute Amount	Multiple Surgery	Workers’ Comp Allowed Amt.	Notes
26686-F6	\$440.08	\$418.08	\$6172.06	100%	\$6590.17	DISPUTED SERVICE: Allow reimbursement \$6172.09
26843-F7	\$440.08	\$418.08	\$932.63	50%	\$1350.71	DISPUTED SERVICE: Allow reimbursement \$932.63
25295x2-RT & RT-59	\$440.08	\$836.16	\$1197.40	25%	\$1016.78	DISPUTED SERVICE: Allow reimbursement \$180.62

26455x4-F6-F7-F8-F9	\$440.08	\$1672.32	\$1427.56	25%	\$1549.96	DISPUTED SERVICE: No reimbursement recommended
26433-F6	\$440.08	\$418.08	\$356.89	25%	\$387.49	DISPUTED SERVICE: No reimbursement recommended

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