

MAXIMUS FEDERAL SERVICES, INC.

Independent Bill Review
P.O. Box 138006
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INDEPENDENT BILLING REVIEW FINAL DETERMINATION

March 11, 2015

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

IBR Case Number:	CB14-0001546	Date of Injury:	11/01/2011
Claim Number:	[REDACTED]	Application Received:	10/29/2014
Claims Administrator:	[REDACTED]	Assignment Date:	12/17/2014
Provider Name:	[REDACTED]		
Employee Name:	[REDACTED]		
Disputed Codes:	99214 – Multiple Dates of Service		

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 \$84.99 in additional reimbursement for a total of \$334.99. A detailed explanation of the decision is provided later in this letter.

The Claim Administrator is required to reimburse the Provider a total of \$334.99 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 99214 Evaluation and Management services performed on the following dates: January 24, 2014, March 21, 2014, April 18, 2014, May 2, 2014, June 6, 2014, & June 11, 2014.
- The Claims Administrator's reimbursement rationale:
 - **January 24, 2014:** "This service is best described by 99213. Submitted Documentation did not meet 2 of the 3."
 - **March 21, 2014:** "This service is best described by 99212. Submitted Documentation did not meet 2 of the 3." And "The billed service does not meet the criteria of a Consult."
 - **April 18, 2014:** "We cannot review 'his' service without necessary documentation. Please resubmit with the indicated documentation as soon as possible."
 - **May 2, 2014:** "This service is best described by 99213. Submitted Documentation did not meet 2 of the 3."
 - **June 6, 2014:** "This service is best described by 99213. Submitted Documentation did not meet 2 of the 3."
 - **June 11, 2014:** "This service is best described by 99213. Submitted Documentation did not meet 2 of the 3."
 - 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**
 - i. History 3 Chronic Conditions or Greater than 4 elements relating to: quality,location,duration,severity, ,timing, context modifying factors, & associated symptoms
 - ii. **Detailed Exam** (Extended exam of 2 – 7 affected body areas/organ systems and other symptomatic or related organ systems)
 - iii. **Moderate Complexity**
 - Pertinent PMFSH related to the patient's problems.
 - 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 each date of service resulted in the following Established Evaluation and Management service:
 - **January 24, 2014:** Expanded Problem Focused / Expanded Problem Focused / Moderate = 99213
 - **March 21, 2014:** Problem Focused / None / Straight Forward = 99212
 - **April 18, 2014:** Expanded Problem Focused / Expanded Problem Focused / Low Complexity = 99213
 - **May 2, 2014:** Expanded Problem Focused / Expanded Problem Focused / Low Complexity = 99213
 - **June 6, 2014:** Expanded Problem Focused / Expanded Problem Focused / Low Complexity = 99213
 - **June 11, 2014:** Problem Focused / Problem Focused / Straight Forward = 99212
- **Time Factor for date of service:**
 - **January 24, 2014: Two** Hand Written Patient Encounter Forms. **1)** Progress note, “N° 83767,” under the heading, “medication,” there appears to be entry of “45 min” documented (hand writing not clear). However, there is no description indicting what portion of the visit was spent on “counseling and/or activities to coordinate care (AMA CPT),” or if the entry is in fact, in relation to the total time of the visit. The documentation is does not clarify what the indicated time, ‘45’ min, is in relation to. Important notation, the progress note does not reflect the Provider’s name or Practice and is not signed by the Provider. **2)** PR-2 form; documentation appears to be a formal representation of handwritten progress note ‘N° 83767.’ The 45 min time is not indicated on this form. IBR unable to clarify what portion of the indicated time related to the exam and what portion of the time related to counseling or coordination of care.
 - **March 21, 2014:** Hand Written Patient Encounter Progress note, “N° 82512,” under the heading, “medication,” there appears to be entry of “40 min” documented (hand writing not clear). However, there is no description indicting what portion of the visit was spent on “counseling and/or activities to coordinate care (AMA CPT),” or if the entry is in fact, in relation to the total time of the visit. The documentation is does not clarify what the indicated time, ‘40’ min, is in relation to. Important notation, the progress note does not reflect the Provider’s name or Practice and is not signed by the Provider. IBR unable to clarify what portion of the indicated time related to the exam and what portion of the time related to counseling or coordination of care.
 - **April 18, 2014: Two** Hand Written Patient Encounter Forms. **1)** Progress note, “N° 82610,” under the heading, “Doctor,” there appears to be entry of “40 min” documented (hand writing not clear). However, there is no description indicting what portion of the visit was spent on “counseling and/or activities to coordinate care (AMA CPT),” or if the entry is in fact, in relation to the total time of the visit. The documentation is does not clarify what the indicated time, ‘40’ min, is in relation to. Important notation, the progress note does not reflect the Provider’s name or Practice and is not signed by the Provider. **2)** PR-2 form; documentation appears to be a

formal representation of handwritten progress note 'N° 82610.' The 40 min time is entered as "40 min face-to-face" and does not meet the documentation requirements for time driven patient encounters. IBR unable to clarify what portion of the indicated time related to the exam and what portion of the time related to counseling or coordination of care.

- **May 2, 2014: Two Hand Written Patient Encounter Forms.** 1) Progress note, "N° 82656," under the heading, "medication," there appears to be entry of "40 min" documented (hand writing not clear). However, there is no description indicating what portion of the visit was spent on "counseling and/or activities to coordinate care (AMA CPT)," or if the entry is in fact, in relation to the total time of the visit. The documentation is does not clarify what the indicated time, '40' min, is in relation to. Important notation, the progress note does not reflect the Provider's name or Practice and is not signed by the Provider. 2) PR-2 form; documentation appears to be a formal representation of handwritten progress note 'N° 82656.' The 40 min time is entered as "40 min face-to-face" and does not meet the documentation requirements for time driven patient encounters. IBR unable to clarify what portion of the indicated time related to the exam and what portion of the time related to counseling or coordination of care.
- **June 6, 2014: Two Hand Written Patient Encounter Forms.** 1) Progress note, "N° 83656," under the heading, "medication," there appears to be entry of "45 min" documented (hand writing not clear). However, there is no description indicating what portion of the visit was spent on "counseling and/or activities to coordinate care (AMA CPT)," or if the entry is in fact, in relation to the total time of the visit. The documentation is does not clarify what the indicated time, '45' min, is in relation to. Important notation, the progress note does not reflect the Provider's name or Practice and is not signed by the Provider. 2) PR-2 form; documentation appears to be a formal representation of handwritten progress note 'N° 83656.' The 45 min time is entered as "45 min face-to-face" and does not meet the documentation requirements for time driven patient encounters. IBR unable to clarify what portion of the indicated time related to the exam and what portion of the time related to counseling or coordination of care.
- **June 11, 2014: Two Hand Written Patient Encounter Forms.** 1) Progress note, "N° 83694," under the heading, "medication," there appears to be entry of "40 min" documented (hand writing not clear). However, there is no description indicating what portion of the visit was spent on "counseling and/or activities to coordinate care (AMA CPT)," or if the entry is in fact, in relation to the total time of the visit. The documentation is does not clarify what the indicated time, '40' min, is in relation to. Important notation, the progress note does not reflect the Provider's name or Practice and is not signed by the Provider. 2) PR-2 form; documentation appears to be a formal representation of handwritten progress note 'N° 83694.' The 40 min time is entered as "40 min" and does not meet the documentation requirements for time driven patient encounters. IBR unable to clarify what portion of the indicated time related to the exam and what portion of the time related to counseling or coordination of care.

The table below describes the pertinent claim line information.

DETERMINATION OF ISSUE IN DISPUTE: 99214

Date of Service: January 24, 2014 , March 21, 2014, April 18, 2014, May 2, 2014, June 6, 2014, & June 11, 2014							
Physician Services							
Service Code	Provider Billed	Plan Allowed	Dispute Amount	Assist Surgeon	Units	Workers' Comp Allowed Amt.	Notes
99214	\$126.00	\$84.99	\$40.15	N/A	1	\$84.99	01/24/2014 Refer to Analysis
99214	\$126.00	\$51.32	\$73.82	N/A	1	\$51.32	03/21/2014 Refer to Analysis
99214	\$126.00	\$0.00	\$126.00	N/A	1	\$84.99	04/18/2014 Refer to Analysis
99214	\$126.00	\$84.99	\$40.15	N/A	1	\$84.99	05/02/2014 Refer to Analysis
99214	\$126.00	\$84.99	\$40.15	N/A	1	\$84.99	06/06/2014 Refer to Analysis
99214	\$126.00	\$84.99	\$40.15	N/A	1	\$84.99	06/11/2014 Refer to Analysis

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