

INDEPENDENT BILLING REVIEW FINAL DETERMINATION

October 12, 2015

[REDACTED]
[REDACTED]
[REDACTED]

***Consolidated Review for Multiple Injured Workers.**

IW1 = Injured Worker #1; IW2 = Injured Worker #2; IW3 = Injured Worker #3

IBR Case Number:	CB15-0001666	Date of Injury:	06/05/2013 - [REDACTED] 11/11/1998 - [REDACTED] 11/12/2014 - [REDACTED]
Claim Number:	[REDACTED] [REDACTED] [REDACTED]	Application Received:	09/21/2015
Assignment Date:	10/09/2015		
Claims Administrator:	[REDACTED]		
Date(s) of service:	05/29/2015 – 05/29/2015 - [REDACTED] 01/15/2015 – 01/15/2015 - [REDACTED] 02/04/2015 – 02/04/2015 - [REDACTED]		
Provider Name:	[REDACTED]		
Employee Name:	[REDACTED] (IW1) [REDACTED] (IW2) [REDACTED] (IW3)		
Disputed Codes:	82486		

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 \$195.00 for the review cost and \$238.13 in additional reimbursement for a total of \$433.13. A detailed explanation of the decision is provided later in this letter.

The Claim Administrator is required to reimburse the Provider a total of **\$433.13** 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.

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 seeding additional remuneration for 82846 Gas/liquid chromatography Drug Testing Performed on Multiple Injured Workers on Multiple Dates of Service.**
- IW1: 05/29/2015 Services denied by the Claims Administrator due to need for Authorization
 - Authorization dated 05/19/2015, Certification Number 106235001, signed by the Claims Administrator indicates “Urine toxicology Screen” as “medically necessary.”
 - Authorization start date: 05/19/2015
 - Authorization end date: 07/03/2015
 - **CCR § 5307.11:** A health care provider or health facility licensed pursuant to Section 1250 of the Health and Safety Code, and a contracting agent, employer, or carrier may contract for reimbursement rates different from those in the fee schedule adopted and revised pursuant to Section 5307.1. When a health care provider or health facility licensed pursuant to Section 1250 of the Health and Safety Code, and a contracting agent, employer, or carrier contract for reimbursement rates **different from those in the fee schedule**, the medical fee schedule for that health care provider or health facility licensed pursuant to Section 1250 of the Health and Safety Code **shall not apply to the contracted reimbursement rates.**
 - The aforementioned 05/09/2014 documentation is contractual in nature. As such, the contractual obligations apply pursuant to CCR § 5307.11.
- The Claims Administrator reimbursed the Provider \$59.12 for IW2 Check No. 28192650 on 03/25/2015 with the following Rational: exceeds the “Medically Unlikely Edits.”
- The Claims Administrator reimbursed the Provider \$59.00 for IW3 Check No. 28376448 on 04/24/2015 with the following Rational: exceeds the “Medically Unlikely Edits.”

- Pursuant to CCR § 5307.1(g)(2), the Administrative Director of the Division of Workers' Compensation orders that the pathology and clinical laboratory fee schedule portion of the Official Medical Fee Schedule (OMFS) contained in title 8, California Code of Regulations, section 9789.50, has been adjusted to conform to the changes to the Medicare payment system that were adopted by the Centers for Medicare & Medicaid Services (CMS) for calendar year 2013. Effective for services rendered on or after January 1, 2013, the maximum reasonable fees for pathology and laboratory services shall not exceed 120% of the applicable California fees set forth in the calendar year 2014 for services after January 1, 2015 based on the adoption of the CMS payment system, CMS coding guidelines and fee schedule were referenced during the review of this Independent Bill Review (IBR) case.
- Moderate v. High complexity as defined by Centers for Disease Control Clinical Laboratory Improvement Amendments (CLIA), "Clinical laboratory test systems are assigned a moderate or high complexity category on the basis of seven criteria given in the CLIA regulations. For commercially available FDA-cleared or approved tests, the test complexity is determined by the FDA during the pre-market approval process. For tests developed by the laboratory or that have been modified from the approved manufacturer's instructions, the complexity category defaults to high complexity per the CLIA regulations, See 42 CFR 493.17.
- A similar code historically assigned for CPT 82846 is G0431 "multiple drug classes by high complexity test method."
- As defined by the US Centers for Medicare and Medicaid Services (CMS), HCPCS G0431 is defined as follows: G0431 (Drug screen, qualitative; multiple drug classes by **high complexity test method** (e.g., immunoassay, enzyme assay), per patient encounter) will be used to report more complex testing methods, such as multi-channel chemistry analyzers, where a more complex instrumented device is required to perform some or all of the screening tests for the patient. Note that the descriptor has been revised for CY 2011. This code may only be reported if the drug screen test(s) is classified as CLIA high complexity test(s) with the following restrictions:
 - may only be reported when tests are performed using instrumented systems (i.e., durable systems capable of withstanding repeated use).
 - CLIA waived tests and comparable non-waived tests may not be reported under test code G0431; they must be reported under test code G0434.
 - CLIA moderate complexity tests should be reported under test code G0434 with one (1) Unit of Service (UOS).
 - G0431 may only be reported once per patient encounter.
- Lab Report for each date of service reflects high complexity computerized analysis.
- Additional Reimbursement is warranted for G0431 x 1 unit for each date of service: 05/29/2015 (IW1), 01/15/2015 (IW2), & 02/04/2015 (IW3)
- Contractual Agreement not available for IBR, 100% OMFS will be utilized.

The table below describes the pertinent claim line information.

