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

MAXIMUS Federal Services

# INDEPENDENT BILLING REVIEW FINAL DETERMINATION

October 23, 2015

[redacted]

***Consolidated Review for Multiple Injured Workers.**
IW1 = Injured Worker #1; IW2 = Injured Worker #2, IW3 = Injured Worker #3

| | | | |
|---|---|---|---|
| IBR Case Number: | CB15-0001696 | Date of Injury: | 04/21/2010 - [redacted]<br>08/22/2012 - [redacted]<br>03/05/2014 - [redacted] |
| Claim Number: | [redacted] | Application Received: | 09/22/2015 |
| Assignment Date: | 10/21/2015 | | |
| Claims Administrator: | [redacted] | | |
| Date(s) of service: | 04/14/2015 – 04/14/2015 - [redacted]<br>01/05/2015 – 01/05/2015 - [redacted]<br>10/24/2014 – 10/24/2014 - [redacted] | | |
| Provider Name: | [redacted] | | |
| Employee Name: | [redacted] | | |
| 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 $180.32 in additional reimbursement for a total of $375.32. A detailed explanation of the decision is provided later in this letter.**

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The Claim Administrator is required to reimburse the Provider a total of **$375.32** 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 circum37stances, 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]

## 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.**
- Claims Administrator reimbursement rational for all cases: "Billing of procedure exceeds unlikely edits."
- EOR's reflect reimbursement of :
  - $59.00 for IW1 Check No. 28504067 on 05/14/2015, Ref # 830395, DOS 04/14/2015
  - $59.00 for IW2 Check No. 2812909 on 03/24/2015, Ref # 702791, DOS 01/05/2015
  - $59.12 for IW3 Check No. 28109402 on 03/12/20**15**, Ref # 672801, DOS 10/24/20**14**
- Pursuant to Labor Code section 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, 2014 & 2015 for services after January 1, 2015 Clinical Laboratory Fee Schedule. 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.
- IW1, IW2 & IW3 CMS 1500 reflect 82846 x 39 units each for each date of service.

- 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: 04/14/2015 (IW1), 01/05/2015 (IW2) & 10/24/2015 (IW3).
- Contractual Agreement not available for IBR, 100% OMFS will be utilized.

The table below describes the pertinent claim line information.

**DETERMINATION OF ISSUE IN DISPUTE: Based on the aforementioned documentation and guidelines, reimbursement is warranted for 82846.**

| **Date of Service**: 04/14/2015 (IW1), 01/05/2015 (IW2) & 10/24/2015 (IW3) | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Laboratory Services** | | | | | | | |
| **Service Code** | **Provider Billed** | **Plan Allowed** | **Dispute Amount** | **Assist Surgeon** | **Units** | **Workers' Comp Allowed Amt.** | **Notes** |
| 82846 as G0431 (IW1) | $1,152.84 | $59.12 | $1,093.84 | N/A | 39 | $118.75 | **DOS 06/16/2015 $59.75 Due Provider** |
| 82846 as G0431 (IW1) | $1,152.84 | $59.00 | $1,093.72 | N/A | 39 | $118.75 | **DOS 06/16/2015 $59.75 Due Provider** |
| 82846 as G0431 (IW3) | $1,152.84 | $59.00 | $1,093.72 | N/A | 39 | 119.94 | **2014 Fee Schedule $60.82 Due Provider** |

Copy to:

[redacted]

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