

**INDEPENDENT BILLING REVIEW FINAL DETERMINATION**

November 4, 2015

[REDACTED]  
[REDACTED]  
[REDACTED]

IBR Case Number:	CB15-0001751	Date of Injury:	05/08/2009
Claim Number:	[REDACTED]	Application Received:	09/28/2015
Claims Administrator:	[REDACTED]		
Date(s) of service:	03/20/2015		
Provider Name:	[REDACTED]		
Employee Name:	[REDACTED]		
Disputed Codes:	99215, WC002 and J3490 x 4		

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 \$173.79 in additional reimbursement for a total of \$368.79. A detailed explanation of the decision is provided later in this letter.**

The Claim Administrator is required to reimburse the Provider a total of **\$368.79** 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
- OMFS

## 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 99215 Evaluation and Management & WC002 Primary Treating Physician Report and NDC 65162062711 performed on 03/20/2015.**
- The Claims Administrator denied services based on “unauthorized” service rational.
- Opportunity to Dispute Eligibility communicated to Claims Administrator on 10/09/2015. Response not yet received.
- Contractual Agreement not submitted for IBR.
- Provider confirms Primary Treating Physician Status by means of formal communication (letter) addressed to Provider by Claims Administrator dated “April 25, 2013.
- Follow-up evaluation and management services for accepted injury do not require authorization.
- The determination of an Evaluation and Management service for Established Patients require **two** of **three** key **components** in the following areas (AMA CPT 1995/1997):
  - 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.
  - To determine the level of service in a given **component** of an E&M, the data must “**meet or exceed**” the elements required.
  - 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
    - **99215 Comprehensive History/ Comprehensive Exam/ High Complexity**
  - **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.
  - Abstracted information for date of service 03/20/2015 revealed the following service:
    - History:
      - HPI: High Complexity
      - ROS; Brief - “No Changes.” Documentation to confirm this status with corresponding elements necessary to determine ROS, not submitted for IBR.
      - PFSH: Brief - “No Changes.” Documentation to confirm this status with corresponding elements necessary to determine ROS, not submitted for IBR.
    - Examination: Detailed
    - Decision Making:
      - Diagnosis: Multiple
      - Complexity of data: Limited
      - Risk: High - Pain Management (Opioid),
      - **Documentation indicates the following level of service:**  
Brief / Detailed / High = **99214** (2 of 3)
- Time Factor for date of service: Not Documented**
- CPT 99215 is not indicated, reimbursement is recommended for documented service 99214.
  - **WC002 Primary Treating Physician Treatment Report (PR-2)** is a reimbursable report when submitted to reflect continued treatment. Documentation indicates on-gong treatment resulting in two written prescriptions and “modified” work restrictions.
  - **Authorization for Ultram dated January 20, 2015 was submitted for review.**
  - PR-2 documents prescription for Ultram (Tramadol 50 Mg) #240.

- Labor Code 5307.1. (e) (2) Any compounded drug product shall be billed by the compounding pharmacy or dispensing physician at the ingredient level, with each ingredient identified using the applicable National Drug Code (NDC) of the ingredient and the corresponding quantity, and in accordance with regulations adopted by the California State Board of Pharmacy.
- **Based on the aforementioned documentation and guidelines, reimbursement for documented Evaluation and Management service 99214, WC002 PR-2 report and NDC 65162062711 is recommended.**

The table below describes the pertinent claim line information.

**DETERMINATION OF ISSUE IN DISPUTE: 99215, WC002 and NDC 65162062711**

Date of Service: 03/20/2015						
Physician Services						
Service Code	Provider Billed	Plan Allowed	Dispute Amount	Units	Workers' Comp Allowed Amt.	Notes
99215 as 99214	\$232.17	\$0.00	\$237.17	1	\$132.93	Refer to Analysis
WC002	\$15.61	\$0.00	\$15.61	1	\$12.01	Refer to Analysis
NDC 6516206 2711	\$64.80	\$0.00	\$64.80	240	\$28.85	Refer to Analysis

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