

INDEPENDENT BILLING REVIEW FINAL DETERMINATION

November 11, 2015

[REDACTED]
[REDACTED]
[REDACTED]

IBR Case Number:	CB15-0001879	Date of Injury:	03/04/2015
Claim Number:	[REDACTED]	Application Received:	10/13/2015
Claims Administrator:	[REDACTED]		
Date(s) of service:	07/13/2015 – 07/13/2015		
Provider Name:	[REDACTED]		
Employee Name:	[REDACTED]		
Disputed Codes:	96101-59 and 99358		

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 \$185.38 in additional reimbursement for a total of \$380.38. A detailed explanation of the decision is provided later in this letter.

The Claim Administrator is required to reimburse the Provider a total of **\$380.38** 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

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 96101 – 59 Psychological Services and 99358 Prolonged Services w/o face-to-face contact for date of service 07/13/2015.**
- The Claims Administrator denied services as “included” in the value of another service performed on the same day.
- NCCI edits indicate 96101 and 99358 services are paired to Evaluation and Management Service 99205, also performed on 07/13/2015.
- Authorization from Claim Administrator to Provider, dated **June 24, 2015**, “affirms” **96101 & 99358** as well as 99205 **90 min**, 99354 **40 min**, and WC005-32.
- **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 **June 24, 2015** Authorization is contractual in nature, as such, the contractual obligations apply **pursuant to LC § 5307.11**.
- **CPT 96101** Psychological testing (includes psychodiagnostic assessment of emotionality, intellectual abilities, personality and psychopathology, eg, mmpi, rorschach, wais), **per hour** of the psychologist's or physician's time, both face-to-face time administering tests to the patient and time interpreting these test results and preparing the report.
- **Authorization reflects** authorized **time** relating to submitted service 99205 and 99354 but does not indicate the allotted time or units authorized for **per hour** CPT 96101.
- **Psychological Testing Documentation** does not indicate time spent on testing and written report. Interpretation and report is included in 96101 RVU; this time factor must be separately identifiable from reported CPT 99205.
- Unable to determine total time spent on 96101 per hour code; **96101 Overturn x 1 unit**.
- **Authorized CPT 99358** time factor is not relevant as reported units does not exceed OMFS.
- Contractual Agreement not submitted for IBR. EOR's reflect 90% OMFS; 90% PPO rate will be applied to reimbursement calculations.
- **Based on the aforementioned documentation and guidelines, reimbursement for 96101 and 99358 services is warranted.**

The table below describes the pertinent claim line information.

DETERMINATION OF ISSUE IN DISPUTE: 96101 * 59 & 99358

Date of Service: 07/13/2015 Physician Services						
Service Code	Provider Billed	Plan Allowed	Dispute Amount	Units	Workers' Comp Allowed Amt.	Notes
96101	\$650.00	\$0.00	\$650.00	5	\$85.38	Refer to Analysis
99358	\$100.00	\$0.00	\$100.00	2	\$100.00	Refer to Analysis

Copy to:

[REDACTED]
[REDACTED]
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