

MAXIMUS FEDERAL SERVICES, INC.

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



INDEPENDENT BILLING REVIEW FINAL DETERMINATION

December 18, 2015

[Redacted]
[Redacted]
[Redacted]

IBR Case Number:	CB15-0002044	Date of Injury:	11/09/1995
Claim Number:	[Redacted]	Application Received:	11/05/2015
Assignment Date:	12/16/2015		
Claims Administrator:	[Redacted]		
Date(s) of service:	07/12/2013 – 07/21/2013		
Provider Name:	[Redacted]		
Employee Name:	[Redacted]		
Disputed Codes:	J3490		

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 \$146.82 in additional reimbursement for a total of \$341.82. A detailed explanation of the decision is provided later in this letter.

The Claim Administrator is required to reimburse the Provider a total of **\$341.82** 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 \$146.82 in additional remuneration for J3490 provided to Injured Worker for dates of service 07/12/2013 & 07/21/2013.**
- Pain Pump Management Documentation and Invoices indicate **Compound Medication**
- Pain Pump Management Documentation, Invoices, CMS1500 forms and EOR's indicate J3490 as follows:
 - DOS 07/12/2013:
 - NDC 49452-2147-02 Clonidine 2mg
 - NDC 38779-0524-05 Bupivacaine 400 mg,
 - NDC 63276-2010-03 Hydromorphone 200 mg
 - NDC 18860-0720-10 Prialt 48ugUsed/Watsed52ug
 - DOS 07/21/2013
 - NDC 49452-2147-02 Clonidine 1200mg
 - NDC 38779-0524-05 Bupivacaine 240mg,
 - NDC 63276-2010-03 Hydromorphone 120 mg
 - NDC 18860-0720-10 Prialt 48ugUsed/Watsed52ug
- EOR's reflect the following 2013 reimbursement for documented compound medication:
 - DOS 07/12:
 - NDC 49452-2147-02 Clonidine 2mg = \$0.00 (Invoice/Documentation Requested on 2nd EOR)
 - NDC 38779-0524-05 Bupivacaine 400 mg = \$0.00 (Invoice/Documentation Requested on 2nd EOR)
 - NDC 63276-2010-03 Hydromorphone 200 mg = **\$313.79 reimbursed (not disputed)**
 - NDC 18860-0720-10 Prialt 48ugUsed/Watsed52ug = \$0.00 (Invoice/Documentation Requested on 2nd EOR)
 - DOS 7/21:
 - NDC 49452-2147-02 Clonidine 1200mg = \$0.00
 - NDC 38779-0524-05 Bupivacaine 240mg = \$0.00
 - NDC 63276-2010-03 Hydromorphone 120 mg = \$0.00
 - NDC 18860-0720-10 Prialt 48ugUsed/Watsed52ug = **\$781.63 (not disputed)**
- Opportunity to Dispute communicated to Claims Administrator on 11/30/2013; response not yet received.
- Contractual Agreement Not Submitted for IBR.
- Invoices submitted reflect the following for **Compound Pharmaceuticals**:
 - DOS 07/12/2013 Document Paid Cost for Compound Medication RX# = \$393.76
 - DOS 07/21/2013 Document Paid Cost for Compound Medication RX# 130760 = \$848.48
- **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. Ingredients with no NDC shall not be separately reimbursable. The

ingredient-level reimbursement shall be equal to 100 percent of the reimbursement allowed by the Medi-Cal payment system and payment shall be based on the sum of the allowable fee for each ingredient plus a dispensing fee equal to the dispensing fee allowed by the Medi-Cal payment systems. If the compounded drug product is dispensed by a physician, the maximum reimbursement shall not exceed 300 percent of documented paid costs, but in no case more than twenty dollars (\$20) above documented paid costs.

- **Based on the aforementioned documentation and guidelines, additional reimbursement is indicated for J3490.**

The table below describes the pertinent claim line information.

DETERMINATION OF ISSUE IN DISPUTE: J3490

Date of Service: 07/12/2013 & 07/21/2013 Physician Services						
Service Code	Provider Billed	Plan Allowed	Dispute Amount	Units	Workers' Comp Allowed Amt.	Notes
J3490 (NDC 49452-2147-02 Clonidine 2mg; NDC 38779-0524-05 Bupivacaine 400 mg; NDC 18860-0720-10 Prialt 48ugUsed/Watse d52ug.)	\$1,241.28	\$313.79 Compound	\$79.97	Mult.	\$393.76	DOS 07/12/2013 \$79.97 Due Provider Refer to Analysis
J3490 (DC 49452-2147-02 Clonidine 1200mg; NDC 38779-0524-05 Bupivacaine 240mg; NDC 63276-2010-03 Hydromorphone 120 mg)	\$355.44	\$781.63 Compound	\$66.85	Mult.	\$848.48	DOS 07/21/2013 \$66.85 Due Provider Refer to Analysis

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