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

INDEPENDENT BILLING REVIEW FINAL DETERMINATION

March 1, 2016

[redacted]

IBR Case Number:	CB16-0000148	Date of Injury:	07/29/2015
Claim Number:	[redacted]	Application Received:	02/02/2016
Assignment Date:	02/19/2016		
Claims Administrator:	[redacted]		
Date(s) of service:	08/21/2015 – 08/21/2015		
Provider Name:	[redacted]		
Employee Name:	[redacted]		
Disputed Codes:	97110, 97140 and 97032		

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 $78.43 in additional reimbursement for a total of $273.43. A detailed explanation of the decision is provided later in this letter.

The Claim Administrator is required to reimburse the Provider a total of **$273.43** 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]

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 additional remuneration for 97110 Therapeutic procedure, 1 or more areas, each 15 minutes; therapeutic exercises to develop strength and endurance, range of motion and flexibility, 97140 Manual therapy techniques (eg, mobilization/ manipulation, manual lymphatic drainage, manual traction), 1 or more regions, each 15 minutes and 97032 Application of a modality to 1 or more areas; electrical stimulation (manual), each 15 minutes for date of service 08/21/2015.**
- EOR's reflect the following reimbursement rational: "Amount paid reflects fee schedule reduction."
- Opportunity to Dispute Eligibility commutated with the Claims Administrator on 02/03/2016; response not yet received.
- Partial Contractual Agreement received for IBR; Provider indicates "lesser of" language.
- Bill Type 132, Hospital Outpatient
- **CPT 97110, 97140, and 97032** are reimbursable under "Other Services" under the Hospital Outpatient OMFS.
- **CCR § 9789.32 (ii) For Other Services**, which do not meet the requirement in (i), the hospital outpatient facility fee shall be determined based solely on the non-facility practice expense relative value units applicable under the OMFS RBRVS.
  (iii) The fees for any physician and non-physician practitioner professional services billed by the hospital shall be calculated in accordance with the OMFS RBRVS, using the OMFS RBRVS total facility relative value units.
- **Administrative Rules § 9789.15.4 Physical Medicine** / Chiropractic / Acupuncture Multiple Procedure Payment Reduction; Pre-Authorization for Specified Procedure/Modality Services (1) The Medicare Multiple Procedure Payment Reduction ("MPPR") for "Always Therapy" Codes shall be applied when more than one of the following codes is billed on the same day: codes on the Medicare "Always Therapy" list, acupuncture codes, chiropractic manipulation codes. (2) Many therapy services are time-based codes, i.e., multiple units may be billed for a single procedure. The MPPR applies to the **Practice Expense ("PE")** payment when more than one unit or procedure is provided to the same patient on the same day, i.e., the MPPR applies to multiple units as well as multiple procedures. Full payment is made for the unit or procedure with the highest PE payment. Full payment is made for the work and malpractice components and 50 percent payment is made for the PE for subsequent units and procedures, furnished to the same patient on the same day.
- EOR's reflect incorrect MPPR reduction.
- **Based on the aforementioned documentation and guidelines, additional reimbursement is indicated for 97110, 97140 and 97032.**

The table below describes the pertinent claim line information.

DETERMINATION OF ISSUE IN DISPUTE: 97110, 97140 & 97032

Date of Service: 08/21/2015 HOPPS						
Service Code	**Provider Billed**	**Plan Allowed**	**Dispute Amount**	**Units**	**Workers' Comp Allowed Amt.**	**Notes**
97110	$308.00	$20.60	$49.29	2	$69.89	**$49.29** **Refer to Analysis**
97140	$147.00	$9.37	$18.35	1	$27.72	**$18.35** **Refer to Analysis**
97032	$136.00	$6.56	$10.79	1	$17.35	**$10.79** **Refer to Analysis**

[redacted]

[redacted]

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