

MAXIMUS FEDERAL SERVICES, INC.
Independent Bill Review
P.O. Box 138006
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(855) 865-8873 Fax: (916) 605-4280

INDEPENDENT BILLING REVIEW FINAL DETERMINATION

November 9, 2023

REDACTED
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IBR Case Number	CB23-0002413
Claim Number	REDACTED
Assignment Date	09/13/2023
Claims Administrator	REDACTED
Date(s) of service	05/18/2023 - 05/18/2023
Provider Name	REDACTED
Employee Name	REDACTED
Disputed Codes	ML201-97
Date of Injury	10/18/2022
Application Received	08/18/2023

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: UPHOLD. MAXIMUS Federal Services has determined that no additional reimbursement is warranted. The Claims Administrator’s determination is upheld and the Claim Administrator does not owe the Provider additional reimbursement. A detailed explanation of the decision is provided later in this letter.

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,

MAXIMUS Federal Services

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 is seeking remuneration for ML201-97 submitted for date of service 05/18/2023.**
 - Opportunity to Dispute Eligibility was communicated with the Claims Administrator on 08/28/2023. Response not yet received.
 - CMS 1500, place of service 11
 - ML201-97
 - EORs reflect reimbursement of \$2,105.00. Workers' compensation fee schedule adjustment.
 - **CCR §9795**
 - ML201: Comprehensive Medical-Legal Evaluation (\$2,015)
 - Includes all comprehensive medical- legal evaluations that do not qualify as follow-up or supplemental medical- legal evaluations. The fee includes review of 200 pages of records. Review of records in excess of 200 pages shall be reimbursed at the rate of \$3.00 per page. When billing under this code, the physician shall include in the report a verification under penalty of perjury of the total number of pages of records reviewed by the physician as part of the medical-legal evaluation and preparation of the report.
 - -97 Evaluation performed by a physician who is board certified in Toxicology, a physician who is certified as a Qualified Medical Evaluator in the specialty of Internal Medicine or a physician who is board certified in Internal Medicine, when a Toxicology evaluation is the primary focus of the medical-legal evaluation. Where this modifier is applicable, the value of the procedure is modified by multiplying the normal value by 1.50.
 - Areas of Expertise by QME Specialty for MD and DO Physicians Performing QME Evaluations: Medical Toxicology (MTT)-Toxicology is the study of the adverse effects of chemical, physical, or biological agents on people, animals, and the environment. Toxicologists are scientists trained to investigate, interpret, and communicate the nature of those effects. Medical toxicologists may have expertise in preventive medicine, emergency medicine, or pediatrics.
 - Submitted PQME (Occupational Medicine) Advocacy Letter from the Defense Attorney dated 04/11/2023 indicates: "Thank you for agreeing to evaluate in the capacity of a QME...applicant is a... full time machinist...who is alleging a continuous trauma (CT)... to both of his hands, headaches and the right eye from being exposed to toxic chemicals due to repetitive use..."
 - Submitted Report entitled: Occupational Medicine PQME ***including*** toxicology reflects: "...This report has been prepared pursuant to the provisions of 8 Cal Code Regulation §9795 as an ML201-95-97, Comprehensive Medical Legal Evaluation conducted by a Qualified Medical Evaluator...face-to-face time with the patient... 2.5 hours..."
 - Page 17-18 of the report indicates: "I was asked to evaluate the Examinee's conditions from an Occupational Medicine standpoint...the following appeared to me to be the internal/occupational areas of concern: chronic headaches due to lack of personal protection equipment; bilateral tinnitus, exposure to solvents has been associated with hearing loss; myofascial pain syndrome, due to repeatedly working in a position with both shoulders rounded and hunched; rule out polyneuropathy, lower extremities suggestive of neuropathy which can occur from solvent exposure; bilateral foot pain due to prolonged standing on hard surfaces without cushioning; depression/anxiety."
 - The report appears to cover both musculoskeletal complaints and potential conditions related to prior chemical exposures. It does not appear that the primary focus of the evaluation is toxicology.
- ML201-97 Upheld as ML201.**

- Reimbursement received in the amount of \$2,105.00 for ML201. No additional reimbursement is due.
- **Based on the aforementioned documentation and guidelines, additional reimbursement is not indicated for ML201-97.**

The table(s) below describe the pertinent claim line information.

DETERMINATION OF ISSUE IN DISPUTE: ML201-97

Date of Service: 05/18/2023

Med-Legal Services

Service Code	ML201-97
Provider Billed	\$3,022.50
Plan Allowed	\$2,105.00
Dispute Amount	\$917.50
Assist Surgeon	N/A
Units	1
Workers' Comp Allowed Amt.	\$2,015.00
Notes	<p>Uphold as ML201 \$2,015.00 (MLFS) - \$2,105.00 (Plan Allowed) = \$0.00 Due Provider Refer to Analysis</p>

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