

MAXIMUS FEDERAL SERVICES, INC.

Independent Bill Review
P.O. Box 138006
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Fax: (916) 605-4280



INDEPENDENT BILLING REVIEW FINAL DETERMINATION

August 26, 2015

[Redacted]
[Redacted]
[Redacted]

IBR Case Number:	CB15-0001263	Date of Injury:	04/14/2014
Claim Number:	[Redacted]	Application Received:	08/04/2015
Assignment Date:	08/21/2015		
Claims Administrator:	[Redacted]		
Date(s) of service:	03/06/2015 – 03/06/2015		
Provider Name:	[Redacted]		
Employee Name:	[Redacted]		
Disputed Codes:	29827-RT, 29826-51-RT, and 0232T-RT		

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 \$1,964.39 in additional reimbursement for a total of \$2,159.39. A detailed explanation of the decision is provided later in this letter.

The Claim Administrator is required to reimburse the Provider a total of **\$2,159.39** 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
- Contractual Agreement

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 Physician Services 29827 Arthroscopy, shoulder, surgical; with rotator cuff repair, 29826 Arthroscopy, shoulder, surgical; decompression of subacromial space with partial acromioplasty, with coracoacromial ligament (ie, arch) release, when performed (list separately in addition to code for primary procedure, and 0232-T Injection(s), platelet rich plasma, any site, including image guidance, harvesting and preparation when performed services performed on 03/06//2015.**
- The Claims Administrator CPT 29826 & 29827 reimbursement rational based on “network” allowance. CPT 0232-T reimbursement rational based on “zero” relative value.
- CMS 1500, Physician Services, reflects point of service as “22.”
- Contractual Agreement Appendix B, Section II Workers’ Compensation, states the following: reimbursement for services that are billed with a procedure code which there is no assigned value ... shall be reimbursed at **90%** of Provider’s billed charge and **90%** of mandated fee schedule.
- **California State Assembly Bill 1177 amended the Labor Code effective January 1, 2002 to add § 5307.11:** 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.** Except as provided in subdivision (b) of Section 5307.1, the official medical fee schedule shall establish maximum reimbursement rates for all medical services for injuries subject to this division provided by a health care provider or health care facility licensed pursuant to Section 1250 of the Health and Safety Code other than those specified in contracts subject to this section.
- CMS 1500 and line item procedures presented indicate CPT 29827 as the Primary Procedure.
- CPT 29826 is an add-on code and is not subject to MPPR.
- **Based on the aforementioned documentation and guidelines, additional reimbursement is warranted for 29826, 29827 & 0232T pursuant to § 5307.11.**

The table below describes the pertinent claim line information.

