

NYSCA Facsimile Transmittal

Fax to: 518-785-6352

To: NYSCA Workers' Compensation Committee # Pages: _____ (NOT INCLUDING THIS COVER)

From: _____ NYSCA Member: _____

Phone: _____ Email: _____

The NYSCA Workers' Compensation Committee is requesting examples of non-payment issues or inappropriate denials to share with the NYS Workers' Compensation Board. Please submit your sanitized (No PHI) examples utilizing this facsimile cover letter, checking the appropriate box below. Please use a separate cover for each submitted example. Please leave the WCB number visible on your submission so the WCB can review in more detail as indicated.

Group 1: IMEs and Burden of Proof Denials

- 1. *Problematic IME exams*, including the names of specific IME providers who are not rendering determinations consistent with the Medical Treatment Guidelines (MTGs)
- 2. Denial based upon *lack of burden of proof* with no further explanation provided by carrier

Group 2: Lack of timely payment after an award or order of the chair

- 3. Non-payment in a timely manner after an *administrative award, arbitration decision* or other *final determination* which is not in the appeal process
- 4. Non-payment in a timely manner when there is an *order of the chair*

Group 3: Functional Improvement, bundling of payment and E/M Coding

- 5. Denial based upon failure to document *functional improvement* when documentation has been submitted consistent with the requirements established within the MTGs
- 6. Inappropriate *bundling of services recommended by the applicable MTG* when billed with appropriate modifier UNLESS the maximum numbers of units have been exceeded
- 7. Inappropriate *denial of E/M services* (new patient and established) when billed with appropriate modifier UNLESS the maximum number of units have been exceeded

Group 4:

- 8. *Other* (describe): _____

- 9. *Anecdotal evidence* relative to the success / failures of submitted variances **by carrier** (e.g., 6 submitted to Special Funds, 2 approved). _____
_____. This particular information requested by the WCB will also be compiled and assessed internally.

INTERNAL USE ONLY: Submitted to WCB Not Submitted to WCB Member education assigned to _____

Confidential