



**WARNING LETTER**

MAY 11 2015

It has come to our attention that you have violated a provision of the State Fund Medical Provider Network (MPN) Participation Agreement (PA) which you signed as confirmation of your agreement with, and continued membership in the State Fund MPN.

We called or your office on 5/5/15 and 5/6/15 to discuss this concern and have not received a response. Please be advised that the violation that was reported is regarding your compliance with State Fund's PA section:

3.15. Billing and Reimbursement. Physician agrees to engage in appropriate billing practices and accept reimbursement in accordance with the physician's Network Vendor contractual requirements. Physician agrees to not negotiate payment above the contracted rate, including but not limited to requesting letters of agreement for prearranged fees for services rendered. Physician will not file liens for balance between the contracted rate and either the Official Medical Fee Schedule (OMFS) or the Resource Based Relative Value Scale (RBRVS). All disputes regarding the amount of payment allowed by the Network Vendor contract shall be submitted to State Fund for an appeal. If, after the appeal, there is still a dispute, physician must submit the dispute to Independent Bill Review (IBR) under Labor Code section 4603.6 in accordance with the physician's Network Vendor contract agreement. Physician further agrees to provide all documents required to participate in IBR, including but not limited to, physician's Network Vendor contract's rate sheet. To expedite reimbursements, State Fund encourages all MPN physicians to utilize e-billing with the expectation that this process will comply with all e-billing standards promulgated by the DWC.

On 3/12/15, a medical-legal report was generated for [REDACTED] in response to a utilization review denial for Norco, Methadone HCL and an EKG. A bill was received for ML 106 in the amount of \$375. Objections to UR decisions are to be resolved through the independent medical review process and not the medical legal process. Labor Code 4064 provides that medical legal reports shall not address medical treatment recommendations subject to utilization review. In addition, UR appeals are not separately reimbursable.

State Fund Medical Provider Network (MPN)  
900 Corporate Center Drive, Ste. 300  
Monterey Park, CA 91754

As a reminder, you and all State Fund MPN providers have agreed to adhere to the PA as a condition for continued membership in our MPN. It is an expectation that the provisions of the PA are met and complied with. We value your membership and therefore hope such violations will not occur in the future. Continued failure to comply with the PA may result in removal from the State Fund MPN.

Please contact us if you have any questions.

Sincerely,



Frances Lee  
Medical Provider Network Representative  
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cc: File