

Qmedtrix Service Description

California Lien and Litigation Consulting Services

Successfully defending payment decisions can be challenging, especially when multiple bill review firms and TPAs are utilized and changes in network access occur. Qmedtrix offers expertise developed from over a decade of California dispute resolution, negotiation, and litigation. Qmedtrix is recognized as the expert, establishing the most significant workers' compensation fee dispute litigation in California, from *Kunz vs. Patterson* in 2002, to *Tapia v. Skill Master Staffing*, to *Barrera v. HNR Framing* in 2008. Our attorneys, medical directors, data analysts and bill auditors can provide strategies to achieve reasonable resolution of disputes arising from bills not reviewed using the Qmedtrix methodology.

California Liens

Listed below are several unique circumstances that make medical fee disputes filed by providers and collection agencies in California a pervasive and expensive problem for most payers.

- Plaintiffs are filing on all bill reductions, including official medical fee schedule reductions.
- Plaintiffs are unwilling to settle—most file a declaration of readiness to proceed (DOR) to request a conference with the Workers' Compensation Appeals Board (WCAB).
- Defendants and appeal judges are not holding plaintiffs accountable to any limitation on timely filings.
- Consolidation of cases has been minimized—this has allowed Scripps to file 91,000 lien claims dating as far back as 1991 and forcing cases to be heard individually.
- Most lien applicants begin filing frivolous reconsideration requests when they do not prevail at the WCAB.

Service Description

Qmedtrix's team specializes in:

- 1) Reviewing complex, high-dollar medical bills or large volumes of smaller facility bills for excessive charges, abusive billing practices and DRG manipulation.
- 2) Analyzing the methodology (if any) used to determine original payment to help determine defense strategy.
- 3) Develop strategy based on comprehensive data analysis, provider profiling, WCAB decisions, case precedent, and expert testimony.

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Qmedtrix provides a summary of our analysis and recommendations for strategy implementation, as well as working with defense counsel, providing expert witness testimony and assisting in exhibit preparation. In some cases, our analysis may find that avoiding a formal dispute is in the best interest of all parties and in those cases we provide strategic, data-supported negotiation assistance with a signed settlement agreement.

California Case Highlights

- *Kunz v. Patterson Floor Coverings, Inc. (2003)* - this *en banc* decision established binding precedent that shifted the burden of proof to the provider to establish that the billed charges are reasonable and utilized Qmedtrix's reimbursement methodology to establish clear guidelines to determine "fair and reasonable" provider reimbursement for workers' compensation in the absence of a fee schedule. These guidelines are still upheld and enforced today.
- *Tapia v. Skill Master Staffing (2008)* - this *en banc* decision reaffirmed that *Kunz* requires that the provider show by a preponderance of the evidence that billed charges are reasonable.
- *Barrera v. HNR Framing (2008)* - The WCAB rescinded a March 2007 ruling after determining that the provider presented artificially skewed data in support of their charges and that the previous judge failed to follow the standards outlined in the *Kunz* decision to determine the reasonableness of payment for services.