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**THE  
ALMOST HASSLE-FREE  
WAY TO COLLECT PA  
WORKERS' COMPENSATION  
MEDICAL BILLS**

*This book has the forms and guidance to get your workers' compensation medical bills paid.*

**THE  
ALMOST  
HASSLE-FREE WAY  
TO COLLECT PA  
WORKERS' COMPENSATION  
MEDICAL BILLS**

*Now Entering*



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Harrisburg, PA  
Telephone: 877-291-WORK (9675)  
Web address: [www.pa-workers-comp-lawyers.com](http://www.pa-workers-comp-lawyers.com)

No part of this book may be copied or reproduced in any manner whatsoever without the express written consent of Calhoon & Associates, P.C. Comments in this book are not intended to provide legal advice. This book is a guide. For specific legal advice on *your case*, you should call a reputable and Board Certified workers' compensation lawyer. It should never cost you any money to consult with such a lawyer.

PRINTED IN THE UNITED STATES OF AMERICA

# ACKNOWLEDGEMENT AND DEDICATION

This book was written for medical providers and injured workers to find peace of mind in what can be a frustrating and confusing area of workers' compensation law. Doctors need to treat and injured workers need to get better. Hassles over medical bills does not serve these goals. Hopefully, this book will help.

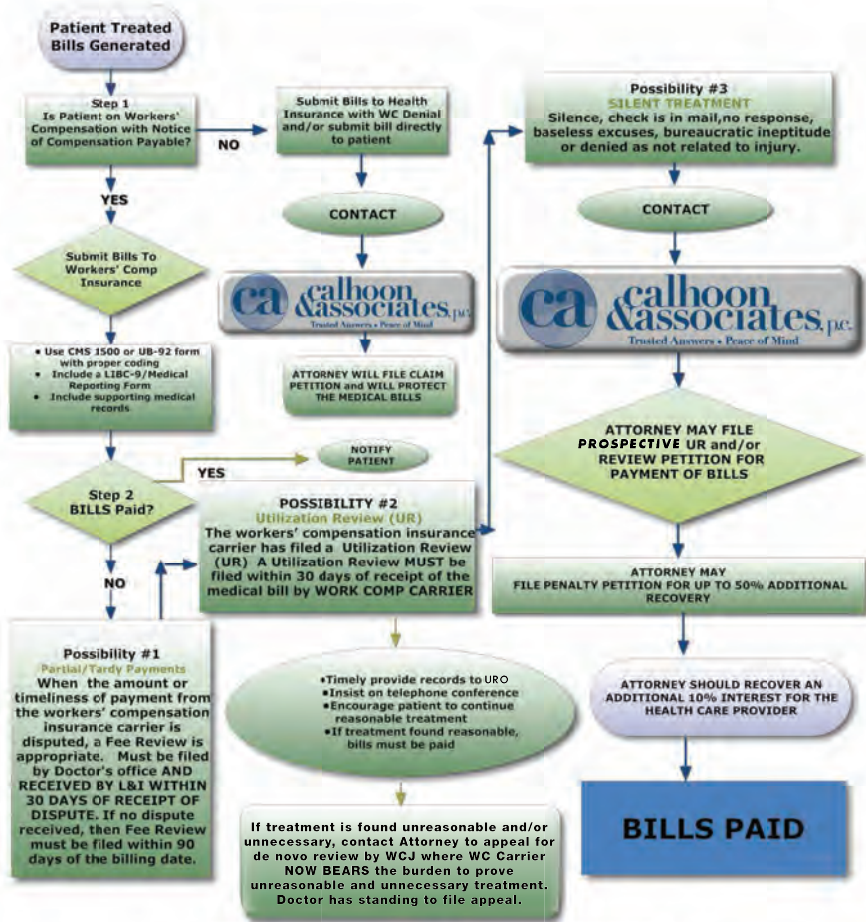
A heartfelt thanks to Diane Hovan who has helped write this book and has, as a workers' compensation paralegal, tirelessly and patiently helped get many thousands of medical bills paid for our injured clients free of charge.

All profits from the sale of this book will be donated to the Calhoon & Associates Trusted Answers Piece of Mind College Scholarship offered through Kid's Chance of Pennsylvania which provides educational scholarships to children who have had a parent killed or severely injured while performing work duties.

**THE  
ALMOST  
HASSLE-FREE WAY  
TO COLLECT PA  
WORKERS' COMPENSATION  
MEDICAL BILLS**



# WORKERS' COMPENSATION PATIENT Accounts Receivable FLOWCHART



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# INTRODUCTION

What follows is a guide on the basics of obtaining payment for medical bills in Pennsylvania workers' compensation matters. Medical billing in workers' compensation matters can be an unfamiliar and uncertain task. What is the process? What forms are to be used? What happens if payment is not timely or is denied? What are the time limits? Some common complaints are: workers' compensation never pays on time, denies submissions, fails to pre-approve treatment, or just ignores the bill. Sometimes, it just seems easier to avoid dealing with workers' compensation. However, this book is here to help you. Knowledge makes all the difference.



# STEP 1: PROPERLY SUBMIT THE BILLS

When a patient first presents to you stating they suffered a work injury, you must get some crucial information from them. Ask them for their employer's name, address, and phone number. Next, ask for the workers' compensation carrier's name, address, and phone number. You will also need the claim number and the date of injury.

The patient should be asked to provide their Notice of Compensation Payable, Notice of Temporary Compensation Payable or a Workers' Compensation Judge's award recognizing the work injury. These documents will provide all of the above crucial information and, more importantly, confirm that the patient has an accepted workers' compensation injury.

If the injury has been accepted, workers' compensation pays for all reasonable, necessary and work-related medical treatment by "practitioners of the healing arts". The Notice of Compensation Payable issued by the workers' compensation insurance carrier describes the injury under the heading "Description of Injury" and "Body Parts" on the top left side of the form. Please keep in mind that workers' compensation is only required to pay for treatment which falls within the "Description of Injury" and "Body Parts". For example, if the injury is described as a cervical strain, workers' compensation must pay for treatment to the neck. However, if the treatment being billed to workers' compensation is to the right shoulder, workers' compensation is not automatically responsible for payment. Some exceptions exist, such as when

a test is performed to another body part to rule out causes for the work injury or pre-surgical testing. Knowledgeable counsel can help when such questions arise. Further, if the patient's doctor feels that a condition not described on the Notice of Compensation Payable is work related, there are legal methods available to have the treatment paid for by workers' compensation.

If the treatment or injury is denied as not work related, you may bill the patient's private health insurance, Medicare or other government-sponsored health insurance. This is prudent for many reasons; most importantly, it protects the patient's health and workers' compensation claim by allowing them to continue treatment during denial by workers' compensation. Besides lower reimbursement rates, drawbacks to billing sources other than workers' compensation include:

- Unnecessary and costly co-pays to patient;
- Unnecessary and costly deductibles to patient; and
- Maximum private health insurance benefits attained prematurely, precluding further treatment for any condition over the patient's lifetime.

If a medical bill is denied by workers' compensation as not work related, a provider can then bill other insurance. The Commonwealth of Pennsylvania issued two (2) memorandums regarding the Insurance Department's regulations governing the use of exclusions for workers' compensation insurance in accident and health insurance (attached). **These regulations require health insurance companies to pay claims if the workers' compensation insurance company refuses coverage.** If the health insurance company refuses to pay "because the treatment is work-related," a letter enclosing

these two (2) memos almost always causes quick payment. If private health insurance and/or government-sponsored insurance is billed during the course of litigation, in the event of a favorable Decision, workers' compensation will be required to repay the private health insurance. Sometimes this is done by the workers' compensation insurance carrier issuing a check directly to the private health insurance. The workers' compensation insurance carrier can also make payments directly to the medical provider, who, in turn, will need to reimburse the patient's private health insurance accordingly.

A sample letter to the health insurance provider and the two memorandums addressing the use of exclusions for workers' compensation follow this paragraph. Also, a sample of a Notice of Compensation Payable and a Temporary Notice of Compensation Payable are shown on the next three pages.

Date

Health Insurance

**Re:** \_\_\_\_\_ vs. \_\_\_\_\_

**Subscriber Name:**

**Insured ID:**

**Group No.:**

**Date of Injury:**

Dear Sir or Madame:

I am in receipt of your \_\_\_\_\_ letter in the above-referenced matter denying payment for Mr. \_\_\_\_\_'s claims as they are for a work-related injury. Mr. \_\_\_\_\_'s workers' compensation claim has been denied and is in litigation.

Enclosed please find two (2) memorandums issued by the Commonwealth of Pennsylvania stating that a private health insurance carrier is prohibited from denying a patient's claims if the workers' compensation carrier has denied liability. Therefore, please make appropriate payment on Mr. \_\_\_\_\_'s claims.

If you should have any questions or wish to discuss this matter further, please do not hesitate to contact me.

Very truly yours,

Ronald L. Calhoon  
rcalhoon@pa-workers-comp-lawyers.com

/  
Enclosures

October 24, 1991

Subject: Coverage Disputes Between Workers' Compensation Insurers and Accident and Health Insurers

To: Carl Lorine, Director  
Bureau of Workers' Compensation

From: Patrick Musick, CPCU  
Bureau Director  
Property and Casualty Insurance

As was discussed at length in today's meeting, the Insurance Department has two regulations governing the use of exclusions for workers' compensation insurance in accident and health insurance. The relevant regulations are: Title 31 §88.84(1)(iii) and §89.77(1)(iv). The Bureau of Accident and Health Insurance has consistently interpreted the language in the regulations to require that A & H companies pay claims if the workers' compensation carrier refuses coverage. The forms supervisors in the Bureau have confirmed that policy forms for accident and health insurance are consistent with this interpretation.

If an accident and health insurer refuses to pay a claim when a workers' compensation carrier has denied coverage, then our Consumer Services Bureau can be called, and they will take appropriate action to have the accident and health insurer provide its policy's benefits to the insured.

It is our understanding that you plan to publicize the Insurance Department's role in this matter and its regulations by informing your referees and including an attachment to workers' compensation claimants when a claim has been filed with L & I.

The Insurance Department has four Consumer Services Offices in the Commonwealth. The locations and telephone numbers are:

Philadelphia	215-560-2630
Pittsburgh	412-565-5020
Harrisburg	717-787-2317
Erie	814-871-4466

The Bureau Director for Consumer Services is Gregory Martino, and he can be reached at the Harrisburg office.

cc: Gregory Martino

L:\HOME\ROXANNE\ROMPACKETS\1102491.MEM

DATE: October 29, 1991

SUBJECT: Accident and health Coverage Disputes

TO: All Workers' Compensation Referees  
All Senior Staff  
All Hotline Staff  
All Legal Staff

FROM: Carl M. Lorine, Director  
Bureau of Workers' Compensation

It has come to our attention that some accident and health insurance companies are refusing to pay benefits for a specific injury or illness during the pendency of workers' compensation litigation concerning the same injury or illness. Apparently the theory is that although the workers' compensation carrier has denied liability, the claimant is excluded from coverage under the accident and health policy since he has filed a workers' compensation claim for the same injury or illness.

Our Insurance Department recently advised that such activity on the part of the accident and health carriers is prohibited. They point to their regulations which have been interpreted to require that the accident and health carriers make payment once the workers' compensation carrier denies liability. (See attached memorandum dated October 24, 1991.)

I would ask the Referees to post in their Hearing Rooms the Insurance Department's memorandum dated October 24, 1991 entitled: "Coverage Disputes Between Workers' Compensation Insurers and Accident and Health Insurers." If this issue comes to your attention, please refer all parties to Gregory Martino, Director of Consumer Services, Insurance Department, (717) 787-2317.

Attachment

**NOTICE OF COMPENSATION  
 PAYABLE**

DATE OF NOTICE

MM DD YYYY  
 EMPLOYEE SOCIAL SECURITY NUMBER OR WC ID NUMBER

DATE OF INJURY WCAIS CLAIM NUMBER

MM DD YYYY

**EMPLOYEE**

First name  
 Last name  
 Date of birth  
 Address  
 Address  
 City/Town State ZIP  
 County  
 Telephone

**EMPLOYER**

Name  
 Address  
 Address  
 City/Town State ZIP  
 County  
 Telephone FEIN

**INSURER or THIRD PARTY ADMINISTRATOR (if self-insured)**

Name  
 Address  
 Address  
 City/Town State ZIP  
 County  
 Telephone FEIN  
 Contact  
 NAIC code or Insurer code  
 Insurer/TPA claim #

**INJURY INFORMATION**

Part of body injured  
 Nature of injury  
 Accident/injury description narrative  
 Check if occupational disease

NOTICE TO EMPLOYER: This Notice should be clearly completed, (preferably typed) and filed with the Bureau. Filing with the Bureau by electronic batch upload in WCAIS, by electronically attaching the document to a claim in WCAIS, or by mail. A copy must be sent to the injured employee with the first payment of compensation.

NOTICE TO EMPLOYEE: If any questions arise regarding these payments, contact the representative named at the bottom of this Notice. If you cannot resolve a problem with the employer representative, you may call the Bureau at 800-482-2383.

Compensation is payable as follows:

Check only if compensation for medical treatment (**medical only, no loss of wages**) will be paid subject to the Workers' Compensation Act. Compensation for medical treatment is payable from date of injury.  
 For compensation for medical treatment only, you should not complete numbers 1 through 5.

- Weekly compensation rate \$ \_\_\_\_\_ Based on an average weekly wage of \$ \_\_\_\_\_
- Payments begin on MM - DD - YYYY (Compensation for loss of wages is payable for first 7 days only if disability extends 14 or more days; compensation for medical treatment is payable from the date of injury.)
- Date first check mailed MM - DD - YYYY if the date exceeds the 21-Rule, check this box  and explain on back of this form.
- Payments will hereafter be made:  Weekly  Biweekly  Other (Specify): \_\_\_\_\_  
 Any termination, suspension or modification of these payments must be made by agreement, final receipt, administrative or judicial determination, or as otherwise provided in the Workers' Compensation Act or Regulations of the Department.

(OVER)

**NOTICE OF TEMPORARY  
COMPENSATION PAYABLE**

DATE OF NOTICE

MM DD YYYY  
EMPLOYEE SOCIAL SECURITY NUMBER OR WC ID NUMBER

DATE OF INJURY WCAIS CLAIM NUMBER

**EMPLOYEE**

First name \_\_\_\_\_  
Last name \_\_\_\_\_  
Date of birth \_\_\_\_\_  
Address \_\_\_\_\_  
Address \_\_\_\_\_  
City/Town \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
County \_\_\_\_\_  
Telephone \_\_\_\_\_

**EMPLOYER**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Address \_\_\_\_\_  
City/Town \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
County \_\_\_\_\_  
Telephone \_\_\_\_\_ FEIN \_\_\_\_\_

**INSURER or THIRD PARTY ADMINISTRATOR (if self-insured)**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Address \_\_\_\_\_  
City/Town \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
County \_\_\_\_\_  
Telephone \_\_\_\_\_ FEIN \_\_\_\_\_  
Contact \_\_\_\_\_  
NAIC code \_\_\_\_\_ or Insurer code \_\_\_\_\_  
Insurer/TPA claim # \_\_\_\_\_

**INJURY INFORMATION**

Part of body injured \_\_\_\_\_  
Nature of injury \_\_\_\_\_  
Accident/injury description narrative \_\_\_\_\_  
Check if occupational disease

**NOTICE TO EMPLOYER:** In wage loss claims, a copy of the Notice is to be sent to the injured employee with the first payment of temporary compensation. The original must be filed with the Department of Labor & Industry. Filing with the Department may be completed by electronic batch upload in WCAIS, by electronically attaching the document to a claim in WCAIS, or by mail. In wage loss claims, the 90 day period begins on the first day of disability. The employer/insurer's failure to file a notice as provided in Section 406. 1(d)(5) of the Act advising the employee that the employer is ceasing temporary compensation shall be deemed an admission of liability, and this notice shall be converted to a Notice of Compensation Payable.

**NOTICE TO EMPLOYEE:** This Notice of temporary compensation payments is for a period of up to 90 days and is not an admission by your employer that it is responsible for your injury. If any questions arise, contact the representative at the bottom of this Notice. If you need further information, call the Bureau at 800-482-2383.

Compensation is payable as follows:

Check only if compensation for medical treatment (**medical only, no loss of wages**) will be paid subject to the Workers' Compensation Act. Compensation for medical treatment is payable from date of injury. If employer stops temporary compensation in accordance with the Act, employer will not pay for treatment received on or after the stoppage date. For compensation for medical treatment only, you should not complete numbers 1 or 3.

1. Weekly compensation rate \$ \_\_\_\_\_

Based on an average weekly wage of \$ \_\_\_\_\_ (A statement of wages must accompany this form.)

2. Ninety-day period begins on MM DD YYYY and ends on MM DD YYYY

3. Payments will hereafter be made:  Weekly  Biweekly  Other (Specify) \_\_\_\_\_  
until payments cease or the ninety-day maximum period for temporary compensation expires.

Claims representative's name \_\_\_\_\_ Telephone \_\_\_\_\_

Claims representative's signature \_\_\_\_\_ (OVER)



After the patient has been seen by the physician and a HCFA 1500 or UB has been created, you need to fill out an LIBC-9. Remember, this is a two-sided form even though you are only filling in one side. You should then mail the bill, LIBC-9, itemized bill, and medical records to the workers' compensation carrier. An itemized statement or standard billing summary means nothing to the workers' compensation insurance carrier! The itemized statement or billing summary are not sufficient requests for payment, and can legally be ignored. **Compliance with the requirement that a completed LIBC-9 be sent with the bills is a prerequisite to the carriers' obligation to process and pay the medical bill!**

A sample copy of both sides to the LIBC-9 form can be found on the next two pages.

**WORKERS' COMPENSATION  
MEDICAL REPORT FORM**

THIS FORM IS TO BE FILED WITH THE EMPLOYER OR INSURER ACCORDING TO INSTRUCTIONS PROVIDED ON THIS FORM.

Name of employee \_\_\_\_\_

Name of employer \_\_\_\_\_

Name of insurer \_\_\_\_\_

WCAIS claim number \_\_\_\_\_ Date of birth \_\_\_\_\_

Employee SS# XXX-XX-\_\_\_\_ Date of injury \_\_\_\_\_

Or  
WC ID number \_\_\_\_\_

Date of report \_\_\_\_\_

Provider name \_\_\_\_\_

Provider address \_\_\_\_\_

Contact person \_\_\_\_\_ Telephone \_\_\_\_\_

Health care providers shall complete and submit the appropriate HCFA billing form and needed documentation to the employer. If the employer is covered by an insurer, the appropriate billing form and documentation is to be sent to the insurer. The LIBC-9 form and required accompanying documentation shall be submitted within 10 days of commencing treatment and at least once a month thereafter, as long as treatment continues. **If a provider does not submit the required medical reports in the prescribed format, the employer/insurer is not obligated to pay for such treatment until the required report is received by the employer/insurer.**

Documentation shall include (where pertinent) claimant's history, diagnosis, description of treatment and services rendered, physical findings and prognosis including whether or not there has been recovery enabling the claimant to return to work with or without limitations, and specific restrictions, if any, regarding return to work. Bills for follow-up visits should include progress/office notes to support the diagnosis and codes billed.

**Providers may not charge for documentation supporting a claim for payment.** Providers may charge their usual fee for special reports specifically requested by the employer/insurer. All patient information shall be submitted with the knowledge of the patient and must be maintained as confidential by the employer/insurer. The employer/insurer shall not be liable to pay for treatment until the required documents have been provided.

Listed on the reverse are guidelines for the completion of billing forms and submission of records.

**BILLING FORM GUIDELINES:**

Requests for payment of medical bills shall be made either on the HCFA Form 1500 or the UB92 Form, or any successor forms required by HCFA/CMS. Forms must be signed or typed with the name of the provider. Name and signature (if signature is used) must match.

Cost-based providers shall submit a detailed bill including service codes and rev codes consistent with the service codes and rev codes submitted to the Bureau of Workers' Compensation on the detailed charge master.

Until a health care provider submits bills on one of the forms specified above, employers/insurers are not required to pay for the treatment billed.

**MEDICAL REPORT FORM GUIDELINES:**

This form must be submitted within 10 days of initial treatment and monthly thereafter, and must be accompanied by documentation to support the billing.

Suggested supporting documentation:

- Physicians — Office notes
- Physical/Occupational therapists — Daily treatment records/notes with physician referral
- Pharmacies — NCD#, amount dispensed, RX#
- DME vendor — Medicare/HCPC code, certificate of medical necessity
- Chiropractors — Treatment notes
- Ambulance providers — Medicare codes, notes/reports
- X-ray/MRI facilities — Reports
- Lab Facilities — Test results
- Anesthesia services — ASA code, base/time units, anesthesia record
- Hospitals — Records from area providing the service (e.g. emergency, outpatient surgery...)
- Inpatient hospital admissions — H&P, discharge summary, operative report (if applicable)
- CORFs & Rehabilitation Centers — Daily treatment notes, including physician orders
- Ambulatory surgery centers — Notes and reports

General for all providers: Use the most appropriate and specific HCFA/CMS coding on billing. When using miscellaneous codes, include detailed description of services.

Any individual filing misleading or incomplete information knowingly and with the intent to defraud is in violation of Section 1102 of the Pennsylvania Workers' Compensation Act, 77 P.S. §1039.2, and may also be subject to criminal and civil penalties under 18 Pa. C.S.A. §4117 (relating to insurance fraud).

**Employer Information Services**  
717.772.3702

**Claims Information Services**  
toll-free inside PA: 800.482.2383  
local & outside PA: 717.772.4447

**Hearing Impaired**  
toll-free inside PA TTY: 800.362.4228  
local & outside PA TTY: 717.772.4991

**Email**  
ra-ll-bwc-helpine@pa.gov



*Auxiliary aids and services are available upon request to individuals with disabilities.  
Equal Opportunity Employer/Program*

## STEP 2: TAKE ACTION

In Pennsylvania, workers' compensation carriers have thirty (30) days (plus 6 days for mailing) to respond to a billing. If the response is late, compensation carriers have to pay 10% per annum interest. They can respond in the following manners:

1. Payment;
2. Denial (If denied as not work related, contact attorney);
3. Filing a utilization review request; or
4. Silence.

## FEE REVIEW (Amount of Payment)

If the carrier does not respond in the allotted amount of time or a payment amount is incorrect, the medical provider can then file a fee review. The Fee Schedule is on the Bureau of Workers' Compensation Website at <http://www.dli.state.pa.us>. Fee Review is the procedure to review the amount of the payment. This can be due to improper downcoding. If the carrier does not strictly comply with the downcoding procedures mandated by Section 127.207 of the regulations, the provider is entitled to reimbursement for the actual charges. A Fee Review can also be used to challenge the timeliness of payment as can a penalty petition.

Fee reviews must be filed within ninety (90) days of the original bill date OR within thirty (30) days after a denial or disputed payment is received, whichever occurs later. These time limits are strictly enforced and any fee review filed late will be dismissed.

The Department of Labor and Industry, Healthcare Services Review Section governs these reviews. **Only a medical provider can file a Fee Review.** A tutorial is available at the Bureau of Workers' Compensation website at [www.dli.state.pa.us](http://www.dli.state.pa.us), Workers' Compensation Medical Treatment Information, Healthcare Services Form Tutorials. FAQs are also available at [www.dli.state.pa.us](http://www.dli.state.pa.us), Workers' Compensation, FAQs, Healthcare Services Review FAQs. You may call the PA Workers' Compensation Hotline at (717) 772-4447 to obtain a Fee Review form for filing.

A sample copy of a Fee Review form is shown on the next page.



**APPLICATION FOR FEE REVIEW  
PURSUANT TO SECTION 306 (F.1)**

PATIENT/EMPLOYEE SOCIAL SECURITY NUMBER OR WC ID NUMBER

DATE OF INJURY

WCALS CLAIM NUMBER

MM DD YYYY

**PATIENT/EMPLOYEE**

First name \_\_\_\_\_  
 Last name \_\_\_\_\_  
 Date of birth \_\_\_\_\_  
 Address \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
 County \_\_\_\_\_  
 Telephone \_\_\_\_\_

**INSURER or THIRD PARTY ADMINISTRATOR (if self-insured)**

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
 County \_\_\_\_\_  
 Telephone \_\_\_\_\_  
 Contact \_\_\_\_\_  
 NAIC code \_\_\_\_\_ or Insurer code \_\_\_\_\_  
 (\*Required: see BWC Website for NAIC or Insurer codes)  
 Insurer/TPA Claim # \_\_\_\_\_  
 FEIN \_\_\_\_\_

**EMPLOYER**

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
 County \_\_\_\_\_  
 Telephone \_\_\_\_\_ FEIN \_\_\_\_\_

**PROVIDER**

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
 Telephone \_\_\_\_\_  
 Federal tax ID number \_\_\_\_\_  
 MC Provider #NPI # \_\_\_\_\_  
 Specialty \_\_\_\_\_  
 Contact \_\_\_\_\_

**PROVIDER REPRESENTATIVE or CORRESPONDENCE ADDRESS (if Other than Above)**

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
 Telephone \_\_\_\_\_

**NOTICE:** Section 306(f.1)(5) of the Workers' Compensation Act requires that the Application for Fee Review must be filed not more than 30 days following notification of a disputed treatment or 90 days following the original billing date of treatment, whichever is later.

**INSTRUCTIONS:**

If not filing electronically, this form must be used to request medical fee review pursuant to Section 306 (f.1)(5) of the Workers' Compensation Act. Your application will be returned and your request for review may not be considered until all requested documentation is provided per Sections 127.252(b) and 127.253 of the Rules and Regulations.

NOTE: If not filing electronically, send the original to: Bureau of Workers' Compensation, Medical Fee Review Section  
1171 South Cameron Street, Harrisburg, PA 17104-2597

**PROOF OF SERVICE**

I hereby certify that on \_\_\_\_\_, I served copies of the Application for Fee Review and the attached supporting documentation to \_\_\_\_\_  
 MM DD YYYY  
 Insurer/Employer

Street address \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_ via \_\_\_\_\_

First class mail, overnight mail, etc. \_\_\_\_\_

Provider or representative's signature  
(Note: Request will be returned if not signed and dated)

Provider or representative's name (Typed/Printed)

Telephone \_\_\_\_\_

**This is an Act 46 (firefighter cancer) claim**

Is this Fee Review Request related to trauma?  Yes  No

Review being requested for:  Amount of payment  Timeliness of payment  Both

From		Dates of service			To			Date bill originally submitted to carrier:			Paid		No response	
MM	DD	YYYY	MM	DD	YYYY	MM	DD	YYYY	Paid	Denied	part/	Denied	from	insurer
-	-	-	-	-	-	-	-	-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
MM	DD	YYYY	MM	DD	YYYY	MM	DD	YYYY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
-	-	-	-	-	-	-	-	-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
MM	DD	YYYY	MM	DD	YYYY	MM	DD	YYYY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
-	-	-	-	-	-	-	-	-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
MM	DD	YYYY	MM	DD	YYYY	MM	DD	YYYY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Any individual filing misleading or incomplete information knowingly and with the intent to defraud is in violation of Section 1102 of the Pennsylvania Workers' Compensation Act, 77 P.S. §1039.2, and may also be subject to criminal and civil penalties under 18 Pa. C.S.A. §4117 (relating to insurance fraud).

**Employer Information Services**  
 717.772.3702

**Claims Information Services**  
 toll-free inside PA: 800.482.2383  
 local & outside PA: 717.772.4447

**Hearing Impaired**  
 toll-free inside PA TTY: 800.362.4228  
 local & outside PA TTY: 717.772.4991

**Email**  
 ra-ll-bwc-helpline@pa.gov



*Auxiliary aids and services are available upon request to individuals with disabilities.  
 Equal Opportunity Employer/Program*

It is important to remember that to file a fee review you must fill out a LIBC-507 (see above sample form) and send it with a copy of the original bill, itemized bill, LIBC-9 (with original bill date) and medical records. Include a summary of why you are filing the review. Send a copy of the packet to the compensation carrier and keep a copy for your records. The original gets mailed to the Bureau of Workers Compensation. They will notify you of a decision within thirty (30) days of receipt of all necessary documents. The party unsatisfied with the fee review determination may file an appeal by filing a Request For Hearing To Contest Fee Review Determination (see Form on next page). The appeal must be filed within thirty (30) days of the administrative determination and will be assigned to a hearing officer who will issue a decision within ninety (90) days of the close of the evidentiary record. Further appeal will now be assigned to a workers' compensation judge.



**REQUEST FOR HEARING TO  
CONTEST FEE REVIEW  
DETERMINATION**

PATIENT/EMPLOYEE SOCIAL SECURITY NUMBER OR WC ID NUMBER

\_\_\_\_ - \_\_\_\_ - \_\_\_\_\_

DATE OF INJURY

\_\_\_\_ - \_\_\_\_ - \_\_\_\_  
MM DD YYYY

WCAIS CLAIM NUMBER

\_\_\_\_\_

**PROVIDER**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Address \_\_\_\_\_  
City/Town \_\_\_\_\_ State \_\_\_\_ ZIP \_\_\_\_\_  
County \_\_\_\_\_  
Telephone \_\_\_\_\_ FEIN \_\_\_\_\_  
Specialty \_\_\_\_\_  
Contact \_\_\_\_\_

**INSURER or THIRD PARTY ADMINISTRATOR (if self-insured)**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Address \_\_\_\_\_  
City/Town \_\_\_\_\_ State \_\_\_\_ ZIP \_\_\_\_\_  
County \_\_\_\_\_  
Telephone \_\_\_\_\_ FEIN \_\_\_\_\_  
Contact \_\_\_\_\_  
NAIC code \_\_\_\_\_ or Insurer code \_\_\_\_\_  
Insurer/TPA claim # \_\_\_\_\_

**PATIENT/EMPLOYEE**

First name \_\_\_\_\_  
Last name \_\_\_\_\_  
Date of birth \_\_\_\_\_  
Address \_\_\_\_\_  
Address \_\_\_\_\_  
City/Town \_\_\_\_\_ State \_\_\_\_ ZIP \_\_\_\_\_

**EMPLOYER**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Address \_\_\_\_\_  
City/Town \_\_\_\_\_ State \_\_\_\_ ZIP \_\_\_\_\_  
Telephone \_\_\_\_\_ FEIN \_\_\_\_\_

**THIS REQUEST IS BEING FILED BY:**  HEALTH CARE PROVIDER  INSURER/EMPLOYER

**FEE REVIEW APPLICATION NUMBER(S) AND DATE OF FEE REVIEW DETERMINATIONS(S):**

Application number: \_\_\_\_\_ Determination date: \_\_\_\_\_  
Application number: \_\_\_\_\_ Determination date: \_\_\_\_\_  
Application number: \_\_\_\_\_ Determination date: \_\_\_\_\_

**TO THE FEE REVIEW HEARING OFFICE:**

I hereby request a de novo hearing by a fee review hearing officer under 34 Pa. Code §127.257 in the above-referenced Fee Review Application(s).

a. The following bills are disputed:

BILLING FORM	DATE OF BILL	SERVICE DATE	PROC/SVC CODE	AMOUNT BILLED
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

# UTILIZATION REVIEW

(Reasonableness & Necessity)

If the workers' compensation carrier has filed a Utilization Review (UR), you should check to be certain that the UR was filed within thirty (30) days of the workers' compensation insurance carrier's receipt of the medical bill(s) being requested for review. It can be argued that the failure of the carrier to timely challenge a bill waives their right to challenge the reasonableness and necessity of the treatment.

When requested by the assigned utilization review organization (URO), you should do the following:

1. Timely provide your records to the URO!;
2. Insist on a telephone conference with the UR'er;
3. Encourage the patient to continue reasonable treatment;  
and
4. Encourage the patient to provide a written statement to the UR'er when requested.

A sample of a UR request form and instructions can be found on the next two pages.

## INSTRUCTIONS FOR COMPLETING UTILIZATION REVIEW REQUEST

Pursuant to the provisions of the Workers' Compensation Act (Act) and 34 Pa. Code Chapter 127 Medical Cost Containment Regulations, Utilization Review (UR) of all treatment provided by a health care provider under the Act may be subject to UR at the request of an employee, employer or insurer. Persons requesting a UR must provide all information requested on the attached Utilization Review Request form. Please complete this form carefully and accurately and MAIL the original UR Request along with any attachments to:

Commonwealth of Pennsylvania Department of Labor & Industry  
Bureau of Workers' Compensation Medical Treatment Review Section  
1171 South Cameron Street, Room 310  
Harrisburg, PA 17104-2597

Copies of the original UR Request along with any attachments must also be mailed to the employee, all providers under review, the insurer/employer and all counsel. **For any questions regarding the filing of the UR Request, please contact the Medical Treatment Review Section at (717) 772-1914.**

**The UR Request must be filled out completely. All information is required. Please enter "NONE" where appropriate. Please Type or Print clearly.**

1. **Request filed on behalf of:** Check the appropriate box.
2. **Employee Information:** Enter all requested information.
3. **Attorney for employee:** Enter all requested information.
4. **Employer information:** Enter all requested information.
5. **Insurer or self-insured employer's third party administrator (TPA):** Enter all requested information, including the 4 digit Bureau Code of the insurer or self-insured employer (available at [www.dli.state.pa.us](http://www.dli.state.pa.us)).
6. **Attorney for insurer/employer:** Enter all requested information.
7. **Provider(s) under review:** Enter the full name, complete address and telephone number of all providers who rendered or will render the treatment(s) or services(s) for which you are requesting UR. Remember that when the treatment or service to be reviewed is anesthesia incident to surgical procedures, diagnostic tests, prescriptions or durable medical equipment, the request for UR must identify the provider who made the referral, ordered or prescribed the treatment or service as the provider under review.
 

Further, please note that you may only request review of individual providers (i.e., physician, chiropractors, etc.), and not facilities. While facilities are often "licensed" (i.e., hospitals, only the actual providers who treat patients may be reviewed. If the treatment which you wish to review constitutes a continuum of care, please identify all providers who rendered such treatment.

Finally, if multiple providers rendered treatment under the direction or supervision of a provider with greater knowledge, education or responsibility for patient care, kindly identify both the individual providers and the directing/supervising provider.
8. **Treatment to be reviewed:** Specify ONLY the treatment or health care service to be reviewed (e.g. "Facet injections lumbar spine"), and identify the state date and end date of treatment(s) which you wish to submit to UR. If the end date is indeterminate, please enter "ongoing". If requesting a prospective review, simply state "prospective". Do not include any other information, such as billing issues, previous URs, or other comments which may influence a reviewer. Such comments will not be forwarded to a reviewer.
9. **Billing Dates for retrospective review:** A UR request must be filed within 30 days of the insurer/employer's receipt of the bill and medical report relating to the treatment under review. If you have not received a bill and/or medical report for the treatment under review or if this request is filed by the employee enter "none", otherwise, for each provider under review, enter the date upon which the insurer/employer received the bills and reports which represents the **start date** of treatment submitted for UR.
10. **Payment pending WCJ decision:** If payment for the treatment under review was withheld pending a decision on a claim or reinstatement petition, please so indicate provider(s), and enter the circulation date of the decision awarding benefits.
11. **Other treating providers:** On a separate sheet, enter the full name, license, specialty, complete address and valid telephone number of all other health care providers who rendered treatment or services for the work-related injury. Please do not include non-treating providers such as those who have performed independent medical examinations.
12. **Requesting party or representative:** Type or print your name, address and telephone number. You **MUST** sign the UR Request.
13. **Proof of Service:** Provide the date the UR Request was signed and mailed to all parties. If you amend or "re-file" this request, you must update the Proof of Service Date.

## UTILIZATION REVIEW REQUEST

The UR Request must be filled out completely (follow instructions); ALL INFORMATION IS REQUIRED.

EMPLOYEE SOCIAL SECURITY NUMBER OR WC ID NUMBER \_\_\_\_\_

DATE OF INJURY \_\_\_\_\_

WCAIS CLAIM NUMBER \_\_\_\_\_

MM DD YYYY

1. Filled on behalf of:  Employee  Insurer/Employer

**2. EMPLOYEE**

First name \_\_\_\_\_  
 Last name \_\_\_\_\_  
 Date of birth \_\_\_\_\_  
 Address \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_ ZIP \_\_\_\_\_  
 County \_\_\_\_\_

**3. EMPLOYEE ATTORNEY**

Firm name \_\_\_\_\_  
 First name \_\_\_\_\_  
 Last name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_ ZIP \_\_\_\_\_

**4. EMPLOYER**

Employer name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_ ZIP \_\_\_\_\_

**5. INSURER OR SELF INSURED TPA**

NAIC code \_\_\_\_\_ or Bureau code \_\_\_\_\_  
(Required: See BWC Website for Bureau codes)  
 Insurer/TPA name \_\_\_\_\_  
 Insurer claim # \_\_\_\_\_  
 Address \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_ ZIP \_\_\_\_\_  
 Claim rep name \_\_\_\_\_

**6. INSURER/EMPLOYER ATTORNEY**

Firm name \_\_\_\_\_  
 First name \_\_\_\_\_  
 Last name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_ ZIP \_\_\_\_\_

**7-10 Provider Under Review/Treatment Information**  
Please see instructions

**PROVIDER 1**

First name \_\_\_\_\_ Last name \_\_\_\_\_  
 Office address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_ ZIP \_\_\_\_\_  
 Telephone \_\_\_\_\_ License/Specialty \_\_\_\_\_  
 Treatment to be reviewed: \_\_\_\_\_  
 Start/End date \_\_\_\_\_ WCJ Circulation date \_\_\_\_\_  
 Bill rec'd \_\_\_\_\_ None  Report rec'd \_\_\_\_\_ None

**PROVIDER 2**

First name \_\_\_\_\_ Last name \_\_\_\_\_  
 Office address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_ ZIP \_\_\_\_\_  
 Telephone \_\_\_\_\_ License/Specialty \_\_\_\_\_  
 Treatment to be reviewed: \_\_\_\_\_  
 Start/End date \_\_\_\_\_ WCJ Circulation date \_\_\_\_\_  
 Bill rec'd \_\_\_\_\_ None  Report rec'd \_\_\_\_\_ None

**PROVIDER 3**  
 First name \_\_\_\_\_ Last name \_\_\_\_\_  
 Office address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
 Telephone \_\_\_\_\_ License/Specialty \_\_\_\_\_  
 Treatment to be reviewed: \_\_\_\_\_  
 Start/End date \_\_\_\_\_ WCJ Circulation date \_\_\_\_\_  
 Bill rec'd \_\_\_\_\_ None  Report rec'd \_\_\_\_\_ None

**PROVIDER 4**  
 First name \_\_\_\_\_ Last name \_\_\_\_\_  
 Office address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
 Telephone \_\_\_\_\_ License/Specialty \_\_\_\_\_  
 Treatment to be reviewed: \_\_\_\_\_  
 Start/End date \_\_\_\_\_ WCJ Circulation date \_\_\_\_\_  
 Bill rec'd \_\_\_\_\_ None  Report rec'd \_\_\_\_\_ None

**PROVIDER 5**  
 First name \_\_\_\_\_ Last name \_\_\_\_\_  
 Office address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
 Telephone \_\_\_\_\_ License/Specialty \_\_\_\_\_  
 Treatment to be reviewed: \_\_\_\_\_  
 Start/End date \_\_\_\_\_ WCJ Circulation date \_\_\_\_\_  
 Bill rec'd \_\_\_\_\_ None  Report rec'd \_\_\_\_\_ None

(Pursuant to §127.404(b) the request for UR shall be filed within 30 days of receipt of the bill and report for the treatment at issue)

11. **Other Treating Providers:** If not filing electronically, please list any other treating providers for this claimant on additional sheet. *Include first and last name, license and specialty, full address and telephone number for each provider.*
12. This is an Act 46 (firefighter cancer) claim
13. **Proof of Service:** I hereby certify that on this day I have mailed a copy of this request to all parties and their attorneys, if known, including the provider(s) under review. ANY FALSE STATEMENT CONTAINED IN THIS UTILIZATION REVIEW REQUEST MAY BE THE SUBJECT OF PROSECUTION UNDER ARTICLE XI OF THE ACT (RELATING TO INSURANCE FRAUD), OR 18 Pa. C.S. §4903 (RELATING TO FALSE SWEARING).

14. Requesting Party or Representative's signature \_\_\_\_\_ Requesting Party or Representative's name (typed/printed) \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
 Telephone number \_\_\_\_\_ Email address \_\_\_\_\_  
 Proof of Service date (MUST be updated if request is amended/re-filed) \_\_\_\_\_

NOTE: If not filing electronically, send the original to: Bureau of Workers' Compensation, Medical Treatment Review Section  
 1171 South Cameron Street, Harrisburg, PA 17104-2597

DO NOT attach deposition, medical records, IME reports or any other document not specifically requested to the UR Request Form. Any attachments not specifically requested will NOT be forwarded to the URO, and will NOT be returned. The Bureau will destroy/shred all attachments not requested.

Any individual filing misleading or incomplete information knowingly and with the intent to defraud is in violation of Section 1102 of the Pennsylvania Workers' Compensation Act, 77 P.S. §1039.2, and may also be subject to criminal and civil penalties under 18 Pa. C.S.A. §4117 (relating to insurance fraud).

**Employer Information Services**  
 717.772.3702

**Claims Information Services**  
 toll-free inside PA: 800.482.2383  
 local & outside PA: 717.772.4447

**Hearing Impaired**  
 toll-free inside PA TTY: 800.362.4228  
 local & outside PA TTY: 717.772.4991

**Email**  
 ra-li-bwc-helpline@pa.gov



*Auxiliary aids and services are available upon request to individuals with disabilities.  
 Equal Opportunity Employer/Program*

When the medical provider is requested to provide medical records to the URO, the URO shall provide reimbursement to the medical provider for copying costs at the rate specified by Medicare, along with payment for actual postage costs. Also, reproduction of radiographic films (x-rays, MRI's, CT Scans, etc.) shall be reimbursed at the usual and customary charge. *(See Section 127.463(a) and (b) of the Rules and Regulations governing actions under the Pennsylvania Workers' Compensation Act).*

If the UR determines that the treatment was unreasonable and/or unnecessary, contact the Attorney to file an appeal of the UR determination.

The appeal will be a brand “new” review of the treatment by a Workers’ Compensation Judge. Also, most importantly, the workers’ compensation insurance carrier will now have the BURDEN to prove that the treatment was unreasonable and unnecessary. The petition to review the UR determination will be assigned to a workers’ compensation judge and will not be binding on the judge.

How long does the UR process take? When a UR request is filed, it takes about five (5) days for the Bureau to assign the petition to a URO. The URO will then collect the medical records and is prohibited from giving opinions on causation. A request for UR shall be deemed complete upon receipt of the medical records from the provider, or thirty (35) days after the notice of assignment of the review to a URO, whichever comes first. The provider will be given thirty (30) days to provide the records. **Failure of the medical provider to timely provide records will cause the treatment to be**

**denied as not reasonable and necessary!** Filing an appeal will not help. Once deemed completed, the URO has thirty (30) days to render their decision.

If a provider, an employee or an employer disagrees with the UR determination, they can file a request for review of the UR determination. The medical provider is not dependant on the injured worker filing an appeal. **The medical provider has standing to file the appeal.** We represent many treating doctors who hire us directly to file the appeal and to get their bills paid after a negative UR determination is issued.

A sample of the Petition to Review Utilization Review Determination can be found on the next page.

## PETITION FOR REVIEW OF UTILIZATION REVIEW DETERMINATION

EMPLOYEE SOCIAL SECURITY NUMBER OR WC ID NUMBER

--	--	--	--	--	--	--	--	--	--	--	--

DATE OF INJURY

MM	DD	YYYY				

WCAIS CLAIM NUMBER

--	--	--	--	--	--	--	--

If the insurer/employer, employee or provider disagrees with the determination rendered against it by the URO, the insurer/employer, employee or provider may file this petition to request that a Workers' Compensation Judge review the URO's determination.

**EMPLOYEE**

First name _____
Last name _____
Date of birth _____
Address _____
Address _____
City/Town _____ State _____ ZIP _____
County _____
Telephone _____

**EMPLOYER**

Name _____
Address _____
Address _____
City/Town _____ State _____ ZIP _____
County _____
Telephone _____ FEIN _____

**VS. INSURER or THIRD PARTY ADMINISTRATOR** (if self-insured)

Name _____
Address _____
Address _____
City/Town _____ State _____ ZIP _____
County _____
Telephone _____ FEIN _____
Insurer/TPA claim # _____

**Utilization Review Number:**

(FROM THE UTILIZATION REVIEW  
DETERMINATION FACE SHEET)

URO name _____
Address _____
Address _____
City/Town _____ State _____ ZIP _____

This request is filed by or on behalf of  Employee     Insurer/Employer     Health Care Provider

**ATTORNEY FOR INSURER/EMPLOYEE** (if known)

Name _____
Firm name _____
Address _____
Address _____
City/Town _____ State _____ ZIP _____
Telephone _____ PA Attorney ID number _____

**ATTORNEY FOR INSURER/EMPLOYER** (if known)

Name _____
Firm name _____
Address _____
Address _____
City/Town _____ State _____ ZIP _____
Telephone _____ PA Attorney ID number _____



I hereby request that this petition be assigned to a Workers' Compensation Judge for a hearing to determine the reasonableness or necessity of the treatment provided by or prescribed by the health care provider below:

**PROVIDER UNDER REVIEW**

First name \_\_\_\_\_  
 Last name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_ ZIP \_\_\_\_\_

**ATTORNEY FOR PROVIDER (if known)**

Name \_\_\_\_\_  
 Firm name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_ ZIP \_\_\_\_\_  
 Telephone \_\_\_\_\_ PA Attorney ID number \_\_\_\_\_

NOTE: The 'treatment to be reviewed' and the 'dates of treatment' can be obtained from the UR Request form.

Treatment to be reviewed: \_\_\_\_\_  
 (NOTE: DO NOT USE PROCEDURE CODES TO IDENTIFY TREATMENT TO BE REVIEWED)

Date(s) of treatment to be reviewed:   -   -      
MM DD YYYY

I hereby certify that on this day I have mailed a copy of this petition to all parties and their attorneys, if known, including the provider whose treatment is under review.

Requesting Party or Representative's signature \_\_\_\_\_

Requesting Party or Representative's name (typed/printed) \_\_\_\_\_

Date   -   -      
MM DD YYYY

NOTICE: Petition will be returned if not signed and dated. Do not attach any documents to this petition. The Workers' Compensation Office of Adjudication will destroy all attachments and NOT forward them to the Workers' Compensation Judge and NOT return them to you.

**NOTE: This petition must be filled out as fully as possible. If not filing electronically, the original must be sent to the Workers' Compensation Office of Adjudication, 1010 N 7th Street, Suite 202, Harrisburg, PA, 17102-1400. You must send a copy to all other parties, and on the attorneys of all other parties, if the attorneys are known. A proof of service must be attached. A proof of service is a signed statement signed by you verifying that you have sent a copy of the petition to all parties and their attorneys, if known. Questions regarding the completion of this form may be directed to Bureau of Workers' Compensation Claims Information Services.**

Any individual filing misleading or incomplete information knowingly and with the intent to defraud is in violation of Section 1102 of the Pennsylvania Workers' Compensation Act, 77 P.S. §1039.2, and may also be subject to criminal and civil penalties under 18 Pa. C.S.A. §4117 (relating to insurance fraud).

**Employee Information Services**  
 717.772.3702

**Claims Information Services**  
 toll-free inside PA: 800.482.2383  
 local & outside PA: 717.772.4447

**Hearing Impaired**  
 toll-free inside PA TTY: 800.362.4228  
 local & outside PA TTY: 717.772.4991

**Email**  
 ra-li-bwc-helpline@pa.gov



*Auxiliary aids and services are available upon request to individuals with disabilities.  
 Equal Opportunity Employer/Program*

## STEP 3 SILENCE

In the event that you receive NO RESPONSE to your original submission of your bill(s) to the workers' compensation insurance carrier or receive some excuse like "*the check is in the mail,*" then you should immediately contact the Attorney, who will review the matter to determine which of the following petitions should be filed:

1. FILE PROSPECTIVE UR: a quick and effective method of obtaining pre approval to guarantee payment of medical bills before the treatment is even rendered (don't believe the myth that there is no such thing as pre-approval in PA workers' comp);
2. FILE REVIEW PETITION for the payment of medical bills and an additional 10% interest on the unpaid bills;
3. FILE PENALTY PETITION requesting the additional payment of up to 50% penalties for the carrier's violation of the PA Workers' Compensation Act by delaying payment of medical bills.

A review petition is needed when the treatment is for a condition not clearly related to the injury accepted in the Notice of Compensation Payable. A Penalty Petition can be filed when payment is not made within thirty (30) days, or if payment is received well past the 30-day time frame. A Penalty Petition is most often used when workers' compensation ignores medical bills which are properly submitted and clearly related to the work injury. When filing a Penalty Petition, the medical bill must be clearly work-related, i.e., the medical documentation that was submitted with the

bill clearly identifies treatment to the injury/body part described on the Notice of Compensation Payable or Judge's Award.

Often times the mere filing of the Penalty Petition will be enough to effectuate payment from the workers' compensation insurance carrier. If not, a Judge will issue a Decision as to whether the workers' compensation insurance carrier failed to make timely payment and, if so, order payment to be made. The Judge can also order penalties to be paid by the workers' compensation insurance carrier, up to 50% of the outstanding medical bills plus 10% interest.

Lastly, if a bill is denied because it was within the first ninety (90) days of treatment and the doctor is not on the company posted list, call us to see if any of the many exceptions apply. Usually, one does and the compensation carrier must pay the bill. It is a myth that injured workers cannot treat with a doctor of their own choice during the first ninety days.

A sample of the REVIEW AND PENALTY petitions can be found on the next two pages.



18. Other

Compensation benefits

- being paid
- have been paid based on a:

Notice of compensation payable dated  -  -

MM DD YYYY

Judge's order dated  -  -

MM DD YYYY

Agreement dated  -  -

MM DD YYYY

Board order dated  -  -

MM DD YYYY

Supplemental agreement dated  -  -

MM DD YYYY

Court order dated  -  -

MM DD YYYY

This is an Act 46 (firefighter cancer) claim

Is supersedeas being requested pursuant to Section 413(A.2)?  Yes  No

If yes, list reasons:

Average weekly wage \$  -

Applicable weekly total disability rate \$  -

Date of most recent payment  -  -  Amount \$  -

MM DD YYYY

PLEASE ENTER MY APPEARANCE FOR PETITIONER:

Attorney's name \_\_\_\_\_  
 PA attorney ID number \_\_\_\_\_  
 Firm name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
 Telephone \_\_\_\_\_

COUNSEL FOR RESPONDENT (if known):

Attorney's name \_\_\_\_\_  
 PA attorney ID number \_\_\_\_\_  
 Firm name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
 Telephone \_\_\_\_\_

\_\_\_\_\_  
 Petitioner or Representative's signature

Date of petition  
 -  -   
 MM DD YYYY

\_\_\_\_\_  
 Petitioner or Representative's name (typed/printed)

**Notice:** This petition must be filled out as fully as possible. If not filing electronically, the original must be sent to the Workers' Compensation Office of Adjudication, 1010 N. Seventh St, Suite 202, Harrisburg, PA, 17102-1400. You must send a copy to all other parties, and to the attorneys of all other parties, if the attorneys are known. A proof-of-service must be attached. A proof-of-service is signed is a signed statement signed by you verifying that you have sent a copy of the petition to all parties and their attorneys, if known. Questions regarding the completion of this form may be directed to Bureau of Workers' Compensation Claims Information Services.

Any individual filing misleading or incomplete information knowingly and with the intent to defraud is in violation of Section 1102 of the Pennsylvania Workers' Compensation Act, 77 P.S. §1039.2, and may also be subject to criminal and civil penalties under 18 Pa. C.S.A. §4117 (relating to insurance fraud).

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 local & outside PA: 717.772.4447

**Hearing Impaired**  
 toll-free inside PA TTY: 800.362.4228  
 local & outside PA TTY: 717.772.4991

**Email**  
 ra-li-bwc-helpline@pa.gov



*Auxiliary aids and services are available upon request to individuals with disabilities.  
 Equal Opportunity Employer/Program*

# CONCLUSION

Payment of medical bills under the Pennsylvania Workers' Compensation system can be confusing and complicated. It is the desire of the attorneys at Calhoon & Associates that this guide book, the flow chart and the sample forms contained herein will assist you in an organized and simplified fashion to collect your medical bills in an almost hassle free fashion. However, hassles are bound to occur. When they do, feel free to contact the attorneys at Calhoon & Associates to assist you with this process and achieve the ultimate goal of providing medical care to your patients and getting your **BILLS PAID**. If you have any questions regarding workers' compensation feel free to call or to email Ron Calhoon at [rcalhoon@pa-workers-comp-lawyers.com](mailto:rcalhoon@pa-workers-comp-lawyers.com).



[www.workinjuryinpa.com](http://www.workinjuryinpa.com)

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Main Office: 2411 north front street    harrisburg, pa 17110  
717.695.4722    1.877.291.9675    717.695.4988 fax

14 north main street, 3rd floor    chambersburg, pa 17201    717.263.5607



# THE ALMOST HASSLE-FREE WAY TO COLLECT PA WORKERS' COMPENSATION MEDICAL BILLS

## WHY READ THIS BOOK?

You are in possession of this book because you want to make a difference in the lives of your work comp patients. You are seeking to lessen the friction with work comp patients over unpaid treatment bills and are seeking a higher percentage of payment for your work comp treatment bills with less frustration and delay for your medical billing staff.

It is our hope that you will take the time and care to read this book filled with valuable information to protect your work comp patients' rights. As you read this book and begin to weigh your options for your work comp patients, have your patient consider calling our office. At **Calhoon & Associates, P.C.**, we will discuss their case with you. We will then decide together the proper course of action to protect your patients' rights and help make sure all of their future medical needs are met without unneeded control, interference and intimidation by carriers who are not motivated by your patients' best interest. Your billing staff and your patients will **THANK YOU** for implementing the knowledge shared in these pages. For additional free answers to any questions contact us at 1-877-291-9675 or visit us online at [www.workinjuryinpa.com](http://www.workinjuryinpa.com).



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& associates, p.c.**

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Main Office: 2411 north front street    harrisburg, pa 17110  
717.695.4722    1.877.291.9675    717.695.4988 fax

14 north main street, 3rd floor    chambersburg, pa 17201    717.263.5607



\$10.00 (\$9.43 + 6% tax)