



State of West Virginia  
DEPARTMENT OF HEALTH AND HUMAN RESOURCES  
Office of Inspector General  
Board of Review  
1027 N. Randolph Ave.  
Elkins, WV 26241

Earl Ray Tomblin  
Governor

Rocco S. Fucillo  
Cabinet Secretary

August 10, 2012

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

Dear -----:

Attached is a copy of the Findings of Fact and Conclusions of Law on your hearing held August 9, 2012. Your hearing request was based on the Department of Health and Human Resources' denial of Medicaid authorization for a semi-electric hospital bed.

In arriving at a decision, the State Hearing Officer is governed by the Public Welfare Laws of West Virginia and the rules and regulations established by the Department of Health and Human Resources. These same laws and regulations are used in all cases to assure that all persons are treated alike.

Eligibility for Medicaid services is based on current policy and regulations. Some of these regulations state as follows: For durable medical equipment services and items requiring prior authorization review for medical necessity by WVMI, it is the responsibility of the prescribing practitioner to submit the appropriate clinical documentation i.e., ICD-9 code(s), all information required on the written prescription (see 506.4, 2<sup>nd</sup> paragraph, (2) for clarification) and any other relevant information. (WVDHHR Durable Medical Equipment/Medical Supply Manual Chapter 506, Section 506.5)

Information presented during the hearing reveals that the submitted medical documentation was insufficient to determine eligibility and your request for a hospital bed could not be approved.

It is the decision of the State Hearing Officer to **uphold** the action of the Department in denying Medicaid authorization for a semi-electric hospital bed.

Sincerely,

Pamela L. Hinzman  
State Hearing Officer  
Member, State Board of Review

cc: Erika H. Young, Chairman, Board of Review  
Stacy Broce, BMS

**WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN RESOURCES  
BOARD OF REVIEW**

**IN RE:**       -----,

**Claimant,**

**v.**

**ACTION NO: 12-BOR-1345**

**WEST VIRGINIA DEPARTMENT OF  
HEALTH AND HUMAN RESOURCES,**

**Respondent.**

**DECISION OF STATE HEARING OFFICER**

**I. INTRODUCTION:**

This is a report of the State Hearing Officer resulting from a fair hearing for ----- . This hearing was held in accordance with the provisions found in the Common Chapters Manual, Chapter 700 of the West Virginia Department of Health and Human Resources. This fair hearing was convened telephonically on August 9, 2012, on a timely appeal filed April 27, 2012. The hearing was originally scheduled for July 11, 2012, but was rescheduled at the Claimant's request.

**II. PROGRAM PURPOSE:**

The 1965 Amendments to the Social Security Act established, under Title XIX, a Federal-State medical assistance program commonly known as Medicaid. The Department of Health and Human Resources administers the Medicaid Program in West Virginia in accordance with Federal Regulations. The Bureau for Medical Services is responsible for development of regulations to implement Federal and State requirements for the program. The Department of Health and Human Resources processes claims for reimbursements to providers participating in the program.

**III. PARTICIPANTS:**

-----, Claimant

Virginia Evans, HHR Specialist, Bureau for Medical Services, WVDHHR  
Regina Adkins, RN, Nurse Reviewer, West Virginia Medical Institute

Presiding at the hearing was Pamela L. Hinzman, State Hearing Officer and a member of the State Board of Review.

**IV. QUESTION TO BE DECIDED:**

The question to be decided is whether the Department was correct in its decision to deny Medicaid authorization for a semi-electric hospital bed.

**V. APPLICABLE POLICY:**

WVDHHR Durable Medical Equipment/Medical Supply Manual Chapter 506, Section 506.5

**VI. LISTING OF DOCUMENTARY EVIDENCE ADMITTED:**

**Department's Exhibits:**

- D-1 WVDHHR Durable Medical Equipment/Medical Supply Manual Chapter 506, Section 506.5
- D-2 InterQual Durable Medical Equipment Criteria
- D-3 WVMI Medicaid Imaging Authorization Request Form dated March 7, 2012
- D-4 Notices of Denial for Durable Medical Services dated March 23, 2012, and sent to Claimant, -----, M.D., and -----

**VII. FINDINGS OF FACT:**

- 1) The Claimant's physician, -----, M.D., submitted a Medicaid DME/Medical Supplies Authorization Request Form (D-3) to West Virginia Medical Institute (WVMI) in March 2012, requesting pre-authorization of Medicaid payment for a semi-electric hospital bed.
- 2) WVMI sent Notices of Denial for Durable Medical Services (D-4) to the Claimant, ----- and -----, on March 23, 2012, which state, in pertinent part:

A request for prior authorization was submitted for durable medical services. Based on the medical information provided, the request has been denied.

Reason for Denial:

Documentation provided does not indicate medical necessity.

The request for E0260 Semi-electric Hospital Bed cannot be approved, as medical necessity has not been established.

WV Medicaid/InterQual criteria requires information including the patient's current weight, the reason frequent/immediate position changes are needed, why the patient's positioning needs cannot be met with an ordinary bed, and that pillows/wedges have been tried and failed to meet the patient's positioning needs.

This information was not provided, therefore, WV Medicaid/InterQual criteria has not been met.

- 3) WVMi Nurse Reviewer Regina Adkins testified regarding the Medicaid DME/Medical Supplies Authorization Request Form and medical information received from ----- (D-3). Documentation indicates that the Claimant has pancreatic cancer and gastroesophageal reflux disease, and is very weak.

The WVMi Nurse testified that information concerning the requested hospital bed must meet an indication listed on InterQual Durable Medical Equipment Criteria (D-2) in order for Medicaid authorization to be granted. Documentation provided by the Claimant's physician was insufficient to establish medical necessity for the hospital bed requested.

- 4) The Claimant testified that her physician was supposed to supply the information and she was uncertain about why the documentation was not provided. She indicated that she would speak with her physician about the issue.
- 5) WVDHHR Durable Medical Equipment/Medical Supply Manual Chapter 506, Section 506.5 (D-1) states, in pertinent part:

For DME services and items requiring prior authorization review for medical necessity by WVMi, it is the responsibility of the prescribing practitioner to submit the appropriate clinical documentation i.e., ICD-9 code(s), all information required on the written prescription (see 506.4, 2<sup>nd</sup> paragraph, (2) for clarification) and any other relevant information.

## **VIII. CONCLUSIONS OF LAW:**

- 1) Policy stipulates that the referring physician must submit appropriate clinical documentation to justify the need for durable medical services/equipment requiring prior authorization for Medicaid payment.
- 2) The Claimant's physician requested authorization for Medicaid coverage of a semi-electric hospital bed in March 2012.
- 3) Evidence indicates that WVMi denied the request due to failure to meet InterQual criteria.
- 4) Because the Department could not determine that the prior authorization request met eligibility criteria, it acted correctly in denying Medicaid authorization for the semi-electric hospital bed.

**IX. DECISION:**

It is the ruling of the State Hearing Officer to **uphold** the Department's decision to deny Medicaid authorization for a semi-electric hospital bed.

**X. RIGHT OF APPEAL:**

See Attachment

**XI. ATTACHMENTS:**

The Claimant's Recourse to Hearing Decision

Form IG-BR-29

**ENTERED this 10th Day of August, 2012.**

---

**Pamela L. Hinzman  
State Hearing Officer**