

MEMORANDUM

To: Medical Providers
Workers' Compensation Payers

From: Joyce A. Sewell
Director, Industrial Accidents

Date: November 15, 2002

Re: Hospital/Facility Charges

Due to numerous complaints from several sources, this memorandum is to clarify what charges by a hospital or surgical facility are subject to the Utah Labor Commission Medical Provider Fee Schedule.

As per state law, U.C.A. 34A-2-407(8) (c), hospitals are not subject to the Labor Commission's fee schedule. This only pertains to the facility charges. It does not apply to physicians, physical therapists or occupational therapists who by state law, 34A-2-11, which defines a physician for workers' compensation and per 34A-2-407(8)(a)(b), states that (a) "all physicians, surgeons, and other health providers attending injured employees shall: (i) comply with all the rules, including the schedule of fee, for their services as adopted by the commission...(b) A physician, as defined in Subsection 34A-2-111, who is associated with, employed by, or bills through a hospital is subject to Subsection (8) (a)."

The above referenced statute clearly states that even though hospitals are not subject to the Labor Commission's fee schedule, any physician or other medical provider attending injured workers are subject to the Commission's fee schedule, even if the services are billed by the hospital. This includes emergency room physicians, physical therapists, etc., whose services may be billed on the hospital UB 82 bill. These services should more properly be billed on a HCFA 1500, but if not, they are still subject to the Commission's fee schedule.