

Fee Review of Workers' Comp Case

During the case of Fidelity and Guaranty Co. v. Bureau of Workers' Compensation (Community Medical Center), a medical provider disputed the amount the insurer reimbursed it for treatment provided to a claimant by filing an application for fee review with the Bureau on the 85th day after the original billing date. The insurer asserted that the provider was required to file within 30 days of the disputed treatment and challenged the validity of the regulation by arguing that it improperly extended the filing period for fee review applications to 90 days following the original billing date. The Commonwealth Court agreed with the Bureau's conclusion that the statute could reasonably be interpreted as providing for two distinct time periods for filing: 30 days following the notification of a disputed treatment and 90 days following the original billing date.