

NAME:
REGARDING:

SS#:

UFCW LOCAL 1500 WELFARE FUND

LOCAL: 1500
STATUS: Full Time

ISSUE: Medical – Charge in Excess of Usual and Customary Rate (UCR) #M13/101-9354

FUND RULE:

"Comprehensive Out-Of-Network Major Medical Expense Benefit Exclusions

3. The portion of a charge for a service or supply in excess of the reasonable and customary charge."

(UFCW Local 1500 Full Time Employees Group Benefit Plan SPD, Page 63)

SUMMARY:

Date(s) of Service:	February 6, 2012 - February 9, 2012
Paid:	March 19, 2012
Appeal Received:	December 13, 2012

The **provider**, Christos Lambakis, MD, previously appealed for additional payment of a claim for the participant's nine-year old son, for video EEG monitoring (a procedure used to analyze seizures). Dr. Lambakis stated in his previous appeals that the participant did not have the option to choose an in-network provider for this service. The appeal was reviewed and denied by the Board of Trustees at the June 5, 2012 and September 11, 2012 meetings.

Dr. Lambakis is re-appealing and states the participant has advised that he cannot afford to pay the balance due (\$5,603.20). The provider is requesting additional payment from the Fund in the amount of \$2,801.00 (50% of the remaining balance).

Fund records indicate that Dr. Lambakis submitted a claim for video EEG monitoring. The services were rendered while the participant's son was hospitalized (in-network facility). The claim was paid correctly up to the limits of the Plan. Dr. Lambakis does not participate with Empire.

Note: The provider's charges are in excess of the Fund's UCR for these services.

ACTION: **Approved** ☐ **Denied** ☐ **Tabled** ☐

COMMENTS: