

Further detailed information:

Billing Dispute Reviewer (MES Solutions)

The Billing Dispute External Review Process shall provide for a Billing Dispute Reviewer (MES Solutions), to resolve disputes with Physicians and Physician Groups arising from Covered Services provided to the Blue Plan's Plan Members by such Physicians and/or Physician Groups concerning the Blue Plan's application of the Blue Plan's coding and payment rules and methodologies for fee for service claims (including without limitation any bundling, Downcoding, application of a CPT® modifier, and/or other reassignment of a code by the Blue Plan) to patient specific factual situations, including without limitation the appropriate payment when two or more CPT® Codes are billed together, or whether a payment enhancing modifier is appropriate. Each such matter shall be a "Billing Dispute."

In deciding Billing Disputes, the Billing Dispute Reviewer (MES Solutions) shall be bound by the terms of the applicable Plan, any applicable agreement between the Physician or Physician Group and the Blue Plan, and the provisions of the Love Settlement Agreement. If the dispute cannot be resolved by reference to the foregoing documents, then the Billing Dispute Reviewer (MES Solutions) shall resolve Billing Disputes by determining, first, whether the billing was coded and submitted properly based on generally accepted medical coding standards, including but not limited to CPT® 35 Coding and CCI/CMS guidelines, and second, whether the Blue Plan's reimbursement policies were properly applied, including those reimbursement policies required or permitted under the Love Settlement Agreement, including without limitation reimbursement policies and Significant Edits posted by the Blue Plan pursuant to the Love Settlement Agreement.

The Billing Dispute Reviewer (MES Solutions) shall not have jurisdiction over any other disputes nor shall any Billing Dispute Reviewer (MES Solutions) have jurisdiction or authority to revise or establish any reimbursement policy of the Blue Plan. Any decision under the Billing Dispute Resolution process shall be binding on the Blue Plan and the Physician and Physician Group.

Submitting a Billing Dispute and minimum dispute threshold amounts

Any Physician or Physician Group may submit a Billing Dispute to the Billing Dispute Reviewer after the Physician or Physician Group exhausts the Blue Plan's internal appeals process and when the amount in dispute exceeds \$500. The Physician or Physician Group must exhaust the Blue Plan's internal appeals process before submitting a Billing Dispute to the Billing Dispute Reviewer. A Physician or Physician Group shall be deemed to have exhausted the Blue Plan's internal appeals process if the Blue Plan does not communicate a decision on an internal appeal within thirty (30) days of the Blue Plan's receipt of all documentation reasonably needed to decide the internal appeal. In the event the Blue Plan and Physician or Physician Group disagree as to whether the requirements of the preceding sentence have been satisfied, such disagreement shall be resolved by the Billing Dispute Reviewer (MES Solutions).

Deferred Consideration of Billing Dispute

An individual Physician or Physician Group may submit a Billing Dispute with an amount in dispute less than \$500 if such Physician or Physician Group notifies the Billing Dispute Reviewer (MES Solutions) that the Physician or Physician Group intends to submit additional Billing Disputes during the one (1) year period following the submission of the original Billing

Dispute which involve issues that are similar to those of the original Billing Dispute. The Billing Dispute Reviewer (MES Solutions) will defer consideration of such Billing Dispute while the Physician or Physician Group accumulates such additional similar Billing Disputes. In the event that a Billing Dispute is deferred pursuant to the preceding sentence and, as of the Termination Date, the Physician or Physician Group has not accumulated the requisite amount of Billing Disputes and the Blue Plan has chosen not to continue the Billing Dispute process following the Termination Date, then any rights the Physician or Physician Group has as to such Billing Disputes, including rights to arbitration, shall be tolled from the date the Billing Dispute was submitted to the Billing Dispute Reviewer (MES Solutions) through and including the Termination Date.

In the event additional similar Billing Disputes are not submitted within one (1) year of the original Billing Dispute, or do not involve disputes in the aggregate exceeding \$500, the Billing Dispute Reviewer shall dismiss the original Billing Dispute and any such additional Billing Disputes.

Timeframes

Physicians and Physician Groups must submit all Billing Disputes to the Billing Dispute Reviewer (MES Solutions) no more than ninety (90) days after a Physician or Physician Group exhausts the Blue Plan's internal appeals process, and the Billing Dispute Reviewer shall not hear or decide any Billing Dispute submitted more than ninety (90) days after the Blue Plan's internal appeals process has been exhausted.

The Blue Plan shall supply appropriate documentation to the Billing Dispute Reviewer (MES Solutions) not later than thirty (30) days after requested by the Billing Dispute Reviewer (MES Solutions). The Billing Dispute Reviewer (MES Solutions) shall not request the Blue Plan to supply appropriate documentation to the Billing Dispute Reviewer (MES Solutions) until Billing Disputes have been submitted with amounts in dispute that in aggregate exceed \$500.

The Billing Dispute Reviewer (MES Solutions) shall render a decision not later than thirty (30) days after receipt of the documents necessary for the review and to provide notice of such decision to the parties promptly thereafter.

In the event that the Billing Dispute Reviewer (MES Solutions) issues a decision requiring payment by the Blue Plan, that Blue Plan shall make such payment within fifteen (15) days after the Blue Plan receives notice of such decision.

Filing Fee

For any Billing Dispute that a Physician or Physician Group submits to the Billing Dispute Reviewer (MES Solutions), the Physician or Physician Group submitting such Billing Dispute shall pay to the Blue Plan a filing fee calculated as follows:

- if the amount in dispute is \$1,000 or less, the filing fee shall be equal to \$50; or
- if the amount in dispute exceeds \$1,000, the filing fee shall be equal to \$50 plus 5% of the amount by which the amount in dispute exceeds \$1,000, but
- in no event shall the fee be greater than 50% of the cost of the review.

MES Solutions will calculate, accept and manage the filing fee required from the Physician or Physician Group on behalf of the Blue Plan. MES Solutions must be in possession of the filing fee before the review of the Billing Dispute will commence.

Filing fees may be submitted to MES Solutions via one of the following two methods depending on the Physicians or Physician Groups preference:

- Via MasterCard, Visa or Discover credit or debit cards directly on MES Solutions' secure Bill Dispute Resolution web site.
- Via check. Physicians or Physician Groups may remit the filing fee to:
MES Solutions
Attn: BDRP Dept.
100 Morse St.
Norwood, MA 02062

MES Solutions will calculate the amount of the filing fee. Because of the Love Settlement requirement that the filing fee charged to a Physician or Physician Group may not be greater than 50% of the cost of the review, MES Solutions can not always precisely determine the final filing fee until after the review has been completed. Therefore, MES Solutions will calculate and charge the maximum potential filing fee for payment prior to the review of the Billing Dispute being conducted. If, upon the completion of the Billing Dispute review, the filing fee submitted by a Physician or Physician Group is greater than 50% of the cost of the review, MES Solutions will reimburse to the Physician or Physician Group the amount of the filing fee that exceeds 50% of the review cost. MES Solutions shall refund the entire filing fee paid by a Physician or Physician Group in the event the Physician or Physician Group is the prevailing party with respect to the Billing Dispute under review.