

Case Number:	CM13-0004907		
Date Assigned:	12/18/2013	Date of Injury:	07/28/2009
Decision Date:	02/07/2014	UR Denial Date:	07/16/2013
Priority:	Standard	Application Received:	07/29/2013

HOW THE IMR FINAL DETERMINATION WAS MADE

MAXIMUS Federal Services sent the complete case file to an expert reviewer. He/she has no affiliation with the employer, employee, providers or the claims administrator. The expert reviewer is Board Certified in Chiropractic & Acupuncture, and is licensed to practice in California. He/she has been in active clinical practice for more than five years and is currently working at least 24 hours a week in active practice. The expert reviewer was selected based on his/her clinical experience, education, background, and expertise in the same or similar specialties that evaluate and/or treat the medical condition and disputed items/services. He/she is familiar with governing laws and regulations, including the strength of evidence hierarchy that applies to Independent Medical Review determinations.

CLINICAL CASE SUMMARY

The expert reviewer developed the following clinical case summary based on a review of the case file, including all medical records:

The claimant is 57 year old female who was involved in a work related injury on 7/28/2009. Primary diagnoses are lumbar facet syndrome, spondylosis, and strain. There is low back pain/stiffness, and left butt pain and lower extremity syndromes. She has numbness in the left 4th toe. Prior treatment includes acupuncture, physical therapy, and chiropractic. The claimant has had 65 acupuncture treatments total. She has had 22 in 2011, 30 in 2012, and 12 visits in 2013. The claimant is involved and diligent in her home exercise program. In an appeal, the claimant states that acupuncture helps her stay in a tolerable pain pattern and continue to work and that it helps her move her body. In an appeal, the provider states that acupuncture helps with pain, ability to move her body, and that she is able to stretch her lower leg closer to her left buttock. She also reports that it helps her maintain her back to function at work and lower back stiffness and pain.

IMR ISSUES, DECISIONS AND RATIONALES

The Final Determination was based on decisions for the disputed items/services set forth below:

Continued acupuncture, 8 sessions to the low back: Upheld

Claims Administrator guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

MAXIMUS guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

Decision rationale: According to the MTUS Acupuncture Guidelines, further acupuncture visits after an initial trial are medically necessary if there is documented functional improvement. "Functional improvement" means either a clinically significant improvement in activities of daily living or a reduction in work restrictions. The claimant has had extensive acupuncture treatments. However, the provider failed to document any objective functional improvement associated with the claimant's acupuncture visits. The provider and the claimant focus on acupuncture allowing the claimant to reduce pain and do her daily activities. Although acupuncture helps this claimant maintain her function, guidelines do not recommend acupuncture for maintenance care or for maintaining function. If there is a flare-up or the provider can provide actual objective improvement, further acupuncture may be necessary according to the MTUS Acupuncture Guidelines. However with the current medical records provided for review, the request for eight sessions of acupuncture is not medically necessary and appropriate.