

Case Number:	CM13-0015034		
Date Assigned:	10/04/2013	Date of Injury:	05/12/2012
Decision Date:	01/31/2014	UR Denial Date:	08/13/2013
Priority:	Standard	Application Received:	08/21/2013

HOW THE IMR FINAL DETERMINATION WAS MADE

MAXIMUS Federal Services sent the complete case file to a Expert Reviewer. He/she has no affiliation with the employer, employee, providers or the claims administrator. The Expert Reviewer is Licensed in Chiropractor and Oriental Medicine 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 patient is reported to be a 48-year-old male, who sustained an industrial injury on 05/12/2012. The records reflect that the patient was walking in the attic, on a 2x4, when he lost his balance and fell injuring his right elbow on the 2x4's. On 7/31/13 the patient was examined by [REDACTED] for right elbow pain that was rated a 4/10, and was unchanged from the prior evaluation. He remained temporarily totally disabled doing prescribed home exercises. The physician requested an additional 12 Acupuncture sessions for the patient's lateral epicondylitis. The patient has only five previous sessions, and a brace was requested. The Utilization Review determination of 8/5/2012 was non-certified for the request for 12 Acupuncture visits to the wrist and right elbow. The rationale for non-certification: the request of 12 additional sessions of Acupuncture exceeded referenced CA MTUS Acupuncture Treatment Guidelines that recommend 3-6 visits as an initial trial of Acupuncture to demonstrate functional improvement before consideration of further care.

IMR ISSUES, DECISIONS AND RATIONALES

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

Acupuncture for the right elbow, three (3) times a week for four (4): Upheld

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

MAXIMUS guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

Decision rationale: The patient is reported to be a 48-year-old male, who sustained an industrial injury on 05/12/2012. When the patient was evaluated by [REDACTED] on 7/31/13, the patient was demonstrating chronic residuals of lateral epicondylitis on a subjective basis with little evidence of functional deficits of the elbow range of motion (ROM), or a history of compromised activities of daily living secondary to either pain or elbow range of motion deficits. With the completion of five (5) acupuncture visits on 7/31/13, [REDACTED] did not report any comparative visual analogue scale to reflect improvement from the five (5) acupuncture visits or comparative range of motion studies to reflect functional gains in movement secondary to the five (5) acupuncture sessions. The Acupuncture Medical Treatment Guidelines indicate that there should be evidence of functional improvement documented. There was no evidence of functional improvement that was documented, for consideration of additional treatment. The 8/5/2013 determination reported that [REDACTED] had not established by comparative examination, sufficient clinical evidence of functional improvement following the five (5) acupuncture sessions, leaving further care unsupported by the Acupuncture Medical Treatment Guidelines. The determination of 8/5/13 was appropriate and supported by evidence based guidelines. The current Appeal for an additional 12 sessions of Acupuncture is denied.