

Case Number:	CM13-0028972		
Date Assigned:	12/04/2013	Date of Injury:	08/22/2012
Decision Date:	03/26/2014	UR Denial Date:	09/19/2013
Priority:	Standard	Application Received:	09/24/2013

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 licensed in 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:

This is a 27-year-old male patient with pain complains of mid and lower back. The diagnosis include: displacement thoracic intervertebral disc (T8-9, MRI confirmed). The previous treatments included oral medication, chiropractic care, physical therapy, acupuncture (unknown number of sessions, reported beneficial in reducing symptoms), and work modifications amongst others. As the patient continued significantly symptomatic, with reduced function-activities of daily living (ADLs), a request for acupuncture times six (6) was made on 09-11-13 by the primary treating provider (PTP). The requested care was denied on 09-19-13 by the utilization review (UR) reviewer. The reviewer's rationale was "the patient underwent multiple rounds of acupuncture care with mild reduction of pain, but there is not documentation that this has translated into functional improvement, therefore the request is non-certified".

IMR ISSUES, DECISIONS AND RATIONALES

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

Acupuncture visits times six (6): prescription date 09/11/2013: Upheld

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

MAXIMUS guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

Decision rationale: The patient underwent acupuncture in the past, with a modest reduction of symptoms, and no other significant, sustained, functional-activities of daily living (ADLs) benefits that were documented. Although the acupuncture provider indicated on 04-10-13 that the range of motion (ROM) was improved in 30% after six (6) acupuncture sessions, the primary treating provider (PTP) reported a normal ROM in the reports, dated 03-12-13 (pre-acupuncture) and 04-08-13 (after five (5) acupuncture sessions). In addition, on 07-29-13, the PTP reported that after twelve (12) acupuncture sessions, the patient continued taking medication and the work status was temporary disability (TTD). Also, the supplemental report dated 11-05-13, from the qualified medical exam (QME) confirmed that the patient has not worked since 11-2012. The Acupuncture Medical Treatment Guidelines indicate that the number of acupuncture sessions to produce functional improvement is three to six (3-6) treatments. The guidelines also indicate that the extension of acupuncture care could be supported as medical necessity "if functional improvement is documented as either a clinically significant improvement in activities of daily living or a reduction in work restrictions and a reduction in the dependency on continued medical treatment." The patient already underwent fifteen (15) acupuncture sessions without any objective improvements documented (function-ADLs improvement, medication reduction, work restrictions reduction, etc). Without evidence of significant quantifiable response to treatment obtained with previous acupuncture care, the request for additional acupuncture times six (6) is not supported for medical necessity.