

Case Number:	CM13-0046483		
Date Assigned:	12/27/2013	Date of Injury:	03/19/2004
Decision Date:	04/18/2014	UR Denial Date:	10/15/2013
Priority:	Standard	Application Received:	11/12/2013

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 Chiropractic and 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 injured worker is a 41 year old male who reported neck, upper back and left shoulder pain from injury sustained on 03/09/04. There were no diagnostic imaging reports. Patient was diagnosed with cervicgia, joint pain-shoulder and superior glenoid labrum lesion. Patient has been treated with medication, chiropractic, physical therapy and acupuncture. Patient was seen for a total of 24 acupuncture visits. Patient reported symptomatic improvement but there is lack of functional improvement. Per acupuncture progress notes dated 06/12/13, patient complains of shoulder pain which is 3/10 and can increase to 6-7/10. The patient reported decreased pain with acupuncture; he reports feeling better, looser and more flexible. Per acupuncture progress notes dated 09/11/13, patient complaints of left shoulder pain which is 3/10 and can increase to 6-7/10; patient stated that the tightness had reoccurred but was better after acupuncture. There is no assessment in the provided medical records of functional efficacy with prior acupuncture visits. Patient hasn't had any long term symptomatic or functional relief with acupuncture care.

IMR ISSUES, DECISIONS AND RATIONALES

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

REQUEST FOR 12 ACUPUNCTURE SESSIONS OF THE CERVICAL SPINE AND LEFT SHOULDER: Upheld

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

MAXIMUS guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

Decision rationale: Per MTUS- Section 9792.24.1 Acupuncture Medical treatment Guidelines page 8-9. "Acupuncture is used as an option when pain medication is reduced and not tolerated, it may be used as an adjunct to physical rehabilitation and/or surgical intervention to hasten functional recovery". "Time to produce function improvement: 3-6 treatments. 2) Frequency: 1-3 times per week. 3) Optimum duration: 1-2 months. Acupuncture treatments may be extended if functional improvement is documented". Patient has had prior acupuncture treatment. There is lack of evidence that prior acupuncture care was of any functional benefit. Additional visits may be rendered if the patient has documented objective functional improvement. Per MTUS guidelines, Functional improvement means either a clinically significant improvement in activities of daily living or a reduction in work restrictions as measured during the history and physical exam or decreased intake of medication. Per review of evidence and guidelines, additional 12 acupuncture treatments are not medically necessary.