

Case Number:	CM14-0005125		
Date Assigned:	01/24/2014	Date of Injury:	12/14/2009
Decision Date:	09/17/2014	UR Denial Date:	01/07/2014
Priority:	Standard	Application Received:	01/07/2014

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 Acupuncture, has a subspecialty in Addiction Detoxification and is licensed to practice in New York. 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 purpose of this review is to consider eight acupuncture sessions. The applicant is a male employee who has filed an industrial claim for right ankle, leg, knee, and thigh injury that occurred on 12/14/09. Mechanism of injury is unspecified in the records reviewed. Currently the patient complains of pain in all aforementioned areas. The primary treating physician requested eight additional sessions of acupuncture without electric stimulation to treat his pain and to reduce some of his symptoms, specifically with his right knee. He continues to complain of clicking, locking and occasionally weakness and "giving away" of his right knee. His current diagnosis consists of chondromalacia patellae, right knee internal derangement, and right knee sprain/strain. His treatment to date includes, but is not limited to, arthroscopic ACL reconstruction or right knee on 5/04/10, MRI's, acupuncture, and physical therapy. Requested and awaiting approval is to pursue a Synvisc injection. In the utilization review report, dated 1/7/14, the UR determination did not approve the eight sessions of acupuncture in light of "functional improvement", as defined by MTUS. The advisor indicated the applicant received prior acupuncture treatments, but the applicant's most recent clinical progress note failed to provide any evidence of sustainable functional improvements, therefore, these eight additional sessions are not medically necessary.

IMR ISSUES, DECISIONS AND RATIONALES

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

Acupuncture right knee #8: Upheld

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

MAXIMUS guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

Decision rationale: Evaluating a request for additional acupuncture is based on the MTUS recommendations for acupuncture, which includes the definition of "functional improvement". The applicant received an initial round of acupuncture care of at least eight visits approved based on these guidelines. Medical necessity for any further acupuncture treatments is in light of "functional improvement". After combing through provided medical records it is evident, the treating physician neglected to provide clinically significant improvement in the applicant's daily living or a reduction in work restrictions. Apparently, the applicant is approved for full work duty but, it is unclear as to whether he has returned to work. Therefore, these additional eight sessions of acupuncture therapy is not medically necessary based on the lack of functional improvement, as defined by MTUS. Furthermore, if the current acupuncture prescription were to be considered an initial trial, the MTUS recommends 3-6 visits as time allowed to produce functional improvement, thus exceeding this recommendation. Therefore, eight additional acupuncture sessions are not medically necessary.