

<b>Case Number:</b>	CM14-0116281		
<b>Date Assigned:</b>	08/04/2014	<b>Date of Injury:</b>	04/30/2007
<b>Decision Date:</b>	09/23/2014	<b>UR Denial Date:</b>	06/23/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	07/23/2014

### 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 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 54 year old male who reported neck and low back pain from injury sustained on 04/30/07. Mechanism of injury was not documented in the provided medical records. There were no diagnostic imaging reports. Patient is diagnosed with left thumb contusion; cervical sprain; cervical radiculopathy; lumbar sprain and lumbar radiculopathy. Patient has been treated with medication, epidural injection and chiropractic. Per medical notes dated 02/14/14, patient complains of intermittent moderate neck pain with radiation into bilateral arms. Patient continues to report of intermittent moderate low back pain with radiation into posterior thigh. Examination revealed tenderness to palpation at L5-S1 and spasms about the lumbar spine paravertebral muscles and slight restricted range of motion. Per medical notes dated 03/28/14, patient states chiropractic has been decreasing his pain. Examination revealed tenderness to palpation at L5-S1 and spasms about the lumbar paravertebral musculature. Primary physician is requesting initial trial of 8 acupuncture treatments.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**8 Acupuncture Sessions:** Upheld

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

**MAXIMUS guideline:** Decision based on MTUS Acupuncture Treatment Guidelines. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) (Neck and Upper back), (Acupuncture).

**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 not had prior Acupuncture treatment. Per guidelines 3-6 treatments are supported for initial course of Acupuncture with evidence of functional improvement prior to consideration of additional care. Requested visits exceed the quantity of initial acupuncture visits supported by the cited guidelines. Additional visits may be rendered if the patient has documented objective functional improvement. MTUS- Definition 9792.20 (f) 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. Furthermore official disability guidelines do not recommend acupuncture for neck pain. Per guidelines and review of evidence, 8 Acupuncture visits are not medically necessary.