

<b>Case Number:</b>	CM14-0124540		
<b>Date Assigned:</b>	08/11/2014	<b>Date of Injury:</b>	09/17/2004
<b>Decision Date:</b>	09/25/2014	<b>UR Denial Date:</b>	07/29/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	08/06/2014

### 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 Licensed in Chiropractic, has a subspecialty 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:

The claimant is a 36 year old female who sustained a work related injury on 9/17/2004. Her diagnoses are cervicogenic headaches, myofascial pain syndrome, tension headache, myalgia, and cervical disc degeneration. Six acupuncture sessions were certified on 7/29/2014. Six acupuncture sessions were also authorized on 11/8/2013. The claimant also attended at least six sessions in April-May 2014. Other prior treatment includes trigger point injections, chiropractic, and oral medication. Per a PR-2 dated 8/13/14, the claimant is flared up and suffers from chronic pain syndrome. She is taking medication and using lidoderm. She notes a 60% reduction in pain and a 70/100 quality of life. Per a PR-2 dated 4/11/14, the claimant is flared up and is requesting a trigger point injection. She is receiving acupuncture and helps her considerably. She notes a 50% reduction in her pain and her quality of life is rated 66/100. Per a PR-2 dated 4/25/14, the claimant flared up but acupuncture has been effective and reduced pain by 50-60%. She receives treatment once a week. Her quality of life index is 76/100. Per a PR-2 dated 5/21/14, the claimant is having some breakthrough cervical pain and is requesting trigger point injections. Her pain is 55% better and her quality of life is rated 72/100 with acupuncture treatment. She is also requesting concurrent chiropractic treatment. Per a PR-2 dated 6/25/14, the claimant is flared up and is in crisis. Her pain is breaking through and she is requesting emergency injections. She notes that acupuncture helped keep her pain under control so that she does not need emergency injections and it has been effective in the past on the order of 25-30%. Her quality of life is 62/100.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Acupuncture x 12 for the cervical spine:** Upheld

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

**MAXIMUS guideline:** Decision based on MTUS Acupuncture Treatment Guidelines.

**Decision rationale:** According to evidenced based guidelines, further acupuncture visits after an initial trial are medically necessary based on documented functional improvement. "Functional improvement" means a clinically significant improvement in activities of daily living or a reduction in work restrictions, medication, and dependency on continued medical treatment. The claimant has had prior acupuncture of unknown quantity but she has had at least 18 sessions certified. She notes subjective pain improvement and the provider claims that the acupuncture helps keep her headaches and pain under control. However, the claimant reports flare-ups while having acupuncture and is requesting further treatment in the form of emergency trigger point injections or chiropractic treatment. Quality of life also fluctuates up and down. The provider failed to document any sustained objective functional improvement associated with the completion of her acupuncture visits. There is no indication of decreased dependence on medical treatment since the claimant continues to require trigger point injections and further treatment. Furthermore, there is no functional improvement from the completion of the most recently authorized acupuncture. Therefore further Acupuncture is not medically necessary.