

Case Number:	CM14-0129910		
Date Assigned:	08/20/2014	Date of Injury:	12/29/2011
Decision Date:	09/24/2014	UR Denial Date:	08/04/2014
Priority:	Standard	Application Received:	08/14/2014

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 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 44 year old male who reported headaches/ head pain from injury sustained on 12/99/11. He was hit from behind with a metal chair in the left frontal region of the head and behind the hairline while escorting post a soccer game riots. CT scan of the brain revealed opacified left middle ear and mastoid; no acute intracranial finding. MRI of the head revealed right posterior communicating artery not identified and may be congenitally absent. Patient is diagnosed with syndrome post concussion and headaches. Patient has been treated with medication, acupuncture and CBT. Per acupuncture progress notes dated 03/18/14, visit 6/6 he noticed a moderate decrease in headache intensity after the last treatment. He continues to have frequent headaches that are throbbing and more moderate in intensity, 3X/week. Per acupuncture progress notes dated 07/23/14, visit 11/12, patient continues to report some improvement in headache intensity and frequency with the combination of acupuncture and medication. He noticed a moderate decrease in headache intensity after last time. He continues to have frequent headaches that are throbbing and more moderate in intensity 3X/week. Patient has not had long term improvement with acupuncture. Per Utilization appeal "he has also discontinued topomax following 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. Medical reports reveal little evidence of significant changes or improvement in findings, revealing a patient who has not achieved significant objective functional improvement to warrant additional treatment.

IMR ISSUES, DECISIONS AND RATIONALES

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

Additional Acupuncture Quantity: 6: 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. Per acupuncture progress notes dated 03/18/14, visit 6/6 he noticed a moderate decrease in headache intensity after the last treatment. He continues to have frequent headaches that are throbbing and more moderate in intensity, 3X/week. Per acupuncture progress notes dated 07/23/14, visit 11/12, patient continues to report some improvement in headache intensity and frequency with the combination of acupuncture and medication. He noticed a moderate decrease in headache intensity after last time. He continues to have frequent headaches that are throbbing and more moderate in intensity 3X/week. Patient has not had long term improvement with acupuncture. Per Utilization appeal "he has also discontinued topomax following acupuncture". Medical reports reveal little evidence of significant changes or improvement in findings, revealing a patient who has not achieved significant objective functional improvement to warrant additional treatment. 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 decrease in medication intake. Per review of evidence and guidelines, additional 6 acupuncture treatments are not medically necessary.