

<b>Case Number:</b>	CM14-0155496		
<b>Date Assigned:</b>	09/25/2014	<b>Date of Injury:</b>	10/20/1991
<b>Decision Date:</b>	10/30/2014	<b>UR Denial Date:</b>	09/02/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	09/23/2014

### 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 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 53 year-old male patient with pain complaints of the lower back. Diagnoses include lumbar post-laminectomy syndrome. Previous treatments include surgery, oral medication, physical therapy, acupuncture (unknown number of prior acupuncture sessions, gains reported as "pain reduction and medication intake reduction") and work modifications, amongst others. As the patient continued symptomatic, a request for additional acupuncture x12 was made by the primary treating physician. The requested care was denied on 09-02-14 by the UR reviewer. The reviewer's rationale was, "This claimant is noted to have received recent recommendation to undergo acupuncture treatments. It is not clear this patient has received any or all of these. Additionally, there is no documentation that this patient has had any subjective or objective measurable functional improvement."

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Acupuncture for the Low Back (2x6) 12 sessions:** Upheld

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

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

**Decision rationale:** The current mandated guidelines note that the amount of acupuncture to produce functional improvement is 3 to 6 treatments. The same guidelines state that extension of acupuncture care could be supported for medical necessity "if functional improvement is documented as either a clinically significant improvement in activities of daily living or a reduction in work restrictions and a reduction in the dependency on continued medical treatment." After an unknown number of prior acupuncture sessions (reported as beneficial in reducing symptoms and medication intake), the patient continues symptomatic, taking oral medication. No evidence of sustained, significant, objectively measured functional improvement (quantifiable response to treatment) obtained with previous acupuncture was provided to support the reasonableness and necessity of the additional acupuncture requested. The use of acupuncture for maintenance, prophylactic or custodial care is not supported by the MTUS. In addition the request is for acupuncture x12, a number that exceeds significantly the guidelines without a medical reasoning to support such request. Therefore, the additional acupuncture x12 is not supported for medical necessity.