

Case Number:	CM14-0172154		
Date Assigned:	10/23/2014	Date of Injury:	03/03/2011
Decision Date:	12/03/2014	UR Denial Date:	09/23/2014
Priority:	Standard	Application Received:	10/17/2014

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, 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 applicant is a female employee who has filed an industrial claim for lumbar spine injury that occurred on 3/03/2011. Mechanism of injury is unspecified in records reviewed. Currently the patient complains of lower back pain, stiffness and global lower extremity weakness; limiting her ability to perform squatting, lifting, twisting and walking. The treating physician on 9/9/2014, requested twelve sessions of acupuncture to treat her pain and to reduce some of her symptoms. The applicant is considered temporarily totally disabled to date. The applicant's current diagnoses consist of lumbago, generalized muscle weakness, and thoracic / lumbosacral neuritis or radiculitis. Her treatment to date includes, but is not limited to, physical therapy, chiropractic care, MRI's, X-rays, epidural injections (10/08/11 and 4/09/12), electromyography/ nerve conduction study, home exercise program, and oral and topical pain and anti-inflammatory medications. In the utilization review report, dated 9/23/14, the UR determination did not approve the twelve sessions of acupuncture but modified this original request according to MTUS and ACOEM guidelines and approved six acupuncture sessions (twice per week for three weeks) as an initial course of treatment of acupuncture. Therefore, six of the twelve acupuncture sessions were not certified.

IMR ISSUES, DECISIONS AND RATIONALES

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

Acupuncture 2 x week x 6 weeks to the lower back: Upheld

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

MAXIMUS guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

Decision rationale: Initial acupuncture care is evaluated utilizing the MTUS guidelines for acupuncture medical treatment. MTUS recommends an initial trial of 3-6 visits of acupuncture. Additionally, MTUS states "acupuncture is used as an option when pain medication is reduced or not tolerated, it may be used as an adjunct to physical rehabilitation and/or surgical intervention to hasten functional recovery." Further acupuncture, beyond this initial trial will be considered based on "functional improvement", as defined by MTUS. There is no clinical data provided by the treating physician regarding a decrease or intolerance to her medication, recent involvement in physical rehabilitation program and the prolonged total temporarily disabled work status is evident of a lack of a treatment program focused on functional recovery. Therefore, given the MTUS guidelines for acupuncture care detailed above, including the initial trial is no greater than six visits, the request of twelve sessions of acupuncture are not medically necessary.