

Case Number:	CM14-0026723		
Date Assigned:	06/13/2014	Date of Injury:	05/15/2013
Decision Date:	09/25/2014	UR Denial Date:	01/29/2014
Priority:	Standard	Application Received:	03/03/2014

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 purpose of this review is to consider eight acupuncture sessions. The applicant is a male employee who has filed an industrial claim for cervical spine injury that occurred on 5/15/13. Mechanism of injury involves a blow to the top of his head by a heavy object. The treating physician requested eight sessions of acupuncture without electric stimulation to treat his pain and to reduce some of his symptoms. The applicant complains of headaches with blurred vision; sharp pain in the neck and shoulders with numbness and tingling in the upper extremities and lower back pain. Diagnosis consists of cervical and lumbar sprain/strain with radiculopathy and head contusion. The applicant is considered temporarily total disabled with reported functional ability of below sedentary. His treatment to date includes, but is not limited to, MRI, physical therapy, chiropractic care, at least seventeen acupuncture sessions, and oral and topical pain and anti-inflammatory medication. In the utilization review report, dated 1/29/14, the UR determination did not approve the eight additional sessions of acupuncture citing from MTUS the acupuncture guidelines and also stating the applicant already received at least seventeen sessions where records lack valid and reliable outcome assessment measures and/or questionnaires demonstrating the claimant benefitted from acupuncture.

IMR ISSUES, DECISIONS AND RATIONALES

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

ACUPUNCTURE FOR THE CERVICAL SPINE; 2X4: Upheld

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

MAXIMUS guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

Decision rationale: Evaluating a request for additional acupuncture is based on the MTUS recommendations for acupuncture, which includes the definition of "functional improvement". The applicant received acupuncture care prior to this request of at least seventeen sessions and those sessions were approved based on these guidelines. Medical necessity for any further acupuncture treatments is in light of "functional improvement". After combing through provided medical records it is evident, the treating physician neglected to provide clinically significant improvement in the applicant's daily living or a reduction in work restrictions. To note, the applicant remains on total temporarily disabled which is such a profound degree of disability that the patient is largely bedbound and unable to perform basic activities of daily living status and off work. This implies a failure of all treatment, including acupuncture. Therefore, these additional eight sessions of acupuncture therapy is not medically necessary based on the lack of functional improvement, as defined by MTUS. Furthermore, if this request had been for an initial trial of acupuncture, MTUS recommends an initial trial of 3-6 visits of acupuncture to produce functional improvement.