

<b>Case Number:</b>	CM14-0039456		
<b>Date Assigned:</b>	06/27/2014	<b>Date of Injury:</b>	11/10/2006
<b>Decision Date:</b>	08/05/2014	<b>UR Denial Date:</b>	03/20/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	04/03/2014

### 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 Board Certified in Chiropractic and 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 61 year old male who reported neck, back and right shoulder pain from injury sustained on 11/10/06 due to cumulative trauma. There were no diagnostic imaging reports. Patient is diagnosed with chronic cervical and lumbar spine pain. Patient has been treated with medication, therapy and acupuncture. Per medical notes dated 12/17/13, patient continues to have neck, upper extremity and low back pain. He states acupuncture has helped 50% and wishes to continue. His medication helps him remain functional. Per medical notes dated 01/14/14, patient continues to have neck, back and extremity pain. Acupuncture helps to maintain his pain at a lower level. He states that acupuncture is helping with low back pain which has been gradually worsening. He takes his medication judiciously. Per medical notes dated 03/11/14, patient complains of neck and back pain. He has been getting acupuncture 2 times per week and helps lower his overall pain at least by 30% and he is able to take less medication with acupuncture. Medication helps him remain functional. Pain is rated at 4/10 and 10/10 at its worst. Same quantity if medication was prescribed. There is no assessment in the provided medical records of functional efficacy with prior acupuncture visits. 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. 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.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Acupuncture 2 times a week for 6 weeks:** Upheld

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

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

**Decision rationale:** The injured worker is a 61 year old male who reported neck, back and right shoulder pain from injury sustained on 11/10/06 due to cumulative trauma. There were no diagnostic imaging reports. Patient is diagnosed with chronic cervical and lumbar spine pain. Patient has been treated with medication, therapy and acupuncture. Per medical notes dated 12/17/13, patient continues to have neck, upper extremity and low back pain. He states acupuncture has helped 50% and wishes to continue. His medication helps him remain functional. Per medical notes dated 01/14/14, patient continues to have neck, back and extremity pain. Acupuncture helps to maintain his pain at a lower level. He states that acupuncture is helping with low back pain which has been gradually worsening. He takes his medication judiciously. Per medical notes dated 03/11/14, patient complains of neck and back pain. He has been getting acupuncture 2 times per week and helps lower his overall pain at least by 30% and he is able to take less medication with acupuncture. Medication helps him remain functional. Pain is rated at 4/10 and 10/10 at its worst. Same quantity of medication was prescribed. There is no assessment in the provided medical records of functional efficacy with prior acupuncture visits. 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. 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.