MAXIMUS Federal Services

Case Number:	CM14-0051886		
Date Assigned:	07/07/2014	Date of Injury:	09/22/2013
Decision Date:	08/19/2014	UR Denial Date:	03/27/2014
Priority:	Standard	Application Received:	04/21/2014

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 Occupational Medicine 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 applicant is a represented [redacted] employee, who has filed a claim for chronic mid back pain, low back pain, and rib pain reportedly associated with an industrial injury of September 22, 2013.Thus far, the applicant has been treated with the following: Analgesic medications; attorney representation; opioid therapy, and at least 16 prior sessions of acupuncture, per the claims administrator.In a Utilization Review Report dated March 27, 2014, the claims administrator denied a request for 8 sessions of acupuncture while approving a followup visit. The applicant's attorney subsequently appealed.In a February 22, 2014 acupuncture note, the applicant stated that she was somewhat improved with earlier acupuncture. 6/10 pain was noted. The applicant's work status was not provided on this occasion. The note employed preprinted checkboxes and provided very little in the way of narrative commentary.In a September 23, 2013, progress note, the applicant was given prescription for Motrin and tramadol. A rather proscriptive 5-pound lifting limitation was endorsed.In an applicant questionnaire dated June 19, 2014, the applicant acknowledged that he was not working. The applicant last worked on September 26, 2013, (i.e., the date of injury) it was suggested. The applicant stated that he was having issues with insomnia. The applicant was using Norco, tramadol, and Motrin for pain relief, it was further noted.

IMR ISSUES, DECISIONS AND RATIONALES

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

8 accupunture sessions: Upheld

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

MAXIMUS guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

Decision rationale: The request represents a renewal request for acupuncture. The applicant has apparently had at least 16 prior sessions of acupuncture, per the claims administrator. As noted in MTUS 9792.204.1.d, acupuncture treatments may be extended if there is evidence of functional improvement as defined in section 9792.20f. In this case, however, there was no such evidence of functional improvement as defined in section 9792.20f despite completion of 16 earlier sessions of acupuncture. The applicant has seemingly failed to return to work. The applicant remained highly reliant and highly dependent on opioid agents, including Norco and tramadol. All of the above, taken together, argues against any functional improvement achieved with earlier acupuncture in terms of parameters established in section 9792.20f. Therefore, the request is not medically necessary.