

Case Number:	CM14-0058454		
Date Assigned:	07/09/2014	Date of Injury:	01/12/2009
Decision Date:	10/29/2014	UR Denial Date:	04/02/2014
Priority:	Standard	Application Received:	04/29/2014

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 Chiropractic, has a subspecialty 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 34 year old male who reported neck and left shoulder pain from injury sustained on 01/12/09 due to an altercation with an inmate. MRI of left shoulder revealed intact rotator cuff, but significant down sloping of the acromion. Patient is diagnosed with status post disc replacement, degeneration of cervical intervertebral disc, cervical disc displacement, and cervical radiculitis. Patient has been treated with disc replacement at C5-6 and C6-7 with fusion, physical therapy, medication, epidural injection and acupuncture. Per most recent medical notes dated 08/26/14, patient complains of pain located in the neck and left shoulder. Pain is described as dull, achy, and stabbing. Pain radiates into the left shoulder and left arm. Paresthesia is noted in the hand with numbness in the arm. Examination revealed asymmetry of the neck and shoulder, with tilting of the head and neck to the left. Provider requested additional 2X4 acupuncture treatments. There is no assessment in the provided medical records of functional efficacy with prior acupuncture visits. Patient hasn't had any long term symptomatic or functional relief with acupuncture care. 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.

IMR ISSUES, DECISIONS AND RATIONALES

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

Continue acupuncture 2 x 4: Upheld

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

MAXIMUS guideline: Decision based on MTUS Acupuncture Treatment Guidelines. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Neck pain, Acupuncture

Decision rationale: Per MTUS- Section 9792.24.1 Acupuncture Medical treatment Guidelines page 8-9. "Acupuncture is used as an option when pain medication is reduced and not tolerated, it may be used as an adjunct to physical rehabilitation and/or surgical intervention to hasten functional recovery". "Time to produce function improvement: 3-6 treatments. 2) Frequency: 1-3 times per week. 3) Optimum duration: 1-2 months. Acupuncture treatments may be extended if functional improvement is documented". Patient has had prior acupuncture treatment. Per medical notes dated 08/26/14, patient complains pain located in the neck and left shoulder. Pain is described as dull, achy and stabbing. Provider requested additional 2X4 acupuncture treatments. 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. Additional visits may be rendered if the patient has documented objective functional improvement. Per MTUS guidelines, 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 or decrease in medication intake. Additionally official disability guidelines do not recommend acupuncture for neck pain. Per review of evidence and guidelines, additional 2X4 acupuncture treatments are not medically necessary.