

Case Number:	CM14-0061179		
Date Assigned:	07/09/2014	Date of Injury:	10/30/2004
Decision Date:	10/02/2014	UR Denial Date:	04/23/2014
Priority:	Standard	Application Received:	05/02/2014

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 a licensed Acupuncturist, 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 male employee who has filed an industrial claim for a lumbar spine and lower back injury that occurred on 10/30/04. Mechanism of injury is unspecified in the records reviewed. Currently the patient complains of pain lumbar spine with difficulty of standing or walking for long periods of time. The treating physician requested eight additional sessions of acupuncture to treat his pain and to reduce some of his symptoms. Records indicate the applicant received prior acupuncture, but still complains his low back pain is worse and at a level of 5/10. The applicant's diagnosis consists of lumbar and cervical radiculopathy. The claimant has abnormal sensory to touch along his left arm. Range of motion is limited. His treatment to date includes, but is not limited to, acupuncture and oral and topical pain and anti-inflammatory medications. In the utilization review report, dated 4/24/14, the UR determination did not approve the eight sessions of acupuncture in light of "functional improvement", as defined by MTUS. The applicant received multiple acupuncture sessions for his lumbar spine previously and the advisor stated the records reviewed had limited significant clinical findings demonstrating functional improvement after such treatments.

IMR ISSUES, DECISIONS AND RATIONALES

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

Retro: Acupuncture, 2 time a week for 4 weeks for low back symptoms; Date of Service: 4/11/2013 - 6/27/2013: 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 an initial round of acupuncture care of an unspecified number of visits 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's work status did not change due to this course of treatment. 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 the current acupuncture prescription were to be considered an initial trial, the MTUS recommends 3-6 visits as time allowed to produce functional improvement, thus exceeding this recommendation and therefore the request is not medically necessary.