

<b>Case Number:</b>	CM14-0078650		
<b>Date Assigned:</b>	07/18/2014	<b>Date of Injury:</b>	03/19/2010
<b>Decision Date:</b>	08/25/2014	<b>UR Denial Date:</b>	05/12/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	05/29/2014

### 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 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:

Claimant is a 51-year-old female who sustained an industrial injury on 3/19/2010. Per a PR-2 dated 5/12/2014, the claimant has neck pain, right upper extremity pain, radiation of pain, and tingling and numbness down both arms and hands. She says her arm pain has improved since her last visit but she has difficulty sleeping and persistent stress and anxiety. The claimant has had 15 sessions of acupuncture which decrease her pain by 40% for 3-4 days. She says she can increase her activity level at work. Other prior treatment includes physical therapy, oral medication, injections, surgery, and topical medication. She is working on modified duty. Her diagnoses are cervical radiculopathy and cervical disc herniations and neural foraminal narrowing. Per a PR-2 dated 1/14/2014, the claimant has had about 6 visits of acupuncture and it has provided her with 50% relief for a couple of days. Per an acupuncture report dated 5/7/2014, the claimant has had 15 sessions of acupuncture and it helps her with pain, sleep, functionality, and decreasing her medications.

### IMR ISSUES, DECISIONS AND RATIONALES

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

#### **8 Sessions of Acupuncture for the Neck: Upheld**

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

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

**Decision rationale:** According to evidenced based guidelines, further acupuncture visits after an initial trial are medically necessary based on documented functional improvement. Functional improvement means a clinically significant improvement in activities of daily living or a reduction in work restrictions, medication, or dependency on continued medical treatment. The claimant has had fifteen sessions of acupuncture with reported subjective improvement from the acupuncturist. However the acupuncturist failed to document objective functional improvement associated with the completion of her acupuncture visits. Furthermore the primary provider has also not documented objective functional improvement from acupuncture and the effect of acupuncture appears to be decreasing. The claimant is only getting 40% pain relief after 15 visits when she was getting 50% relief after six visits. Therefore 8 Sessions of Acupuncture for the Neck are not medically necessary.