

Case Number:	CM14-0191446		
Date Assigned:	11/25/2014	Date of Injury:	12/20/2013
Decision Date:	01/09/2015	UR Denial Date:	10/15/2014
Priority:	Standard	Application Received:	11/17/2014

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 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 52 year old female who reported low back pain from an injury sustained on 12/20/13 after her foot slipped as she was climbing down a ladder (did not fall). Patient is diagnosed with lumbar disc herniation; lumbosacral ligament sprain; lumbar spondylosis; facet syndrome of lumbar spine. Patient has been treated with medication, physical therapy and acupuncture. Per utilization, medical notes dated 09/24/14 revealed that the patient reports mild improvement with therapy and no improvement with medication. Patient complains of bilateral low back pain. She has 6 acupuncture treatments which gave temporary relief. Back pain is unchanged and is moderate frequent to severe occasional. Per medical notes dated 11/25/14, patient complains of bilateral low back pain and discomfort. Examination revealed decreased range of motion and tenderness to palpation. Provider requested additional 3x2 acupuncture treatments which were non-certified by the utilization reviewer. Therefore, the Utilization Review decision was appealed for an Independent Medical Review.

IMR ISSUES, DECISIONS AND RATIONALES

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

Acupuncture for the Low Back; 3 times a week for 2 weeks: Upheld

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

MAXIMUS guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

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 utilization review, she had 6 acupuncture treatments which gave her temporary relief. Per medical notes dated 11/25/14, patient complains of bilateral low back pain and discomfort. Provider requested additional 3x2 acupuncture treatments which were non-certified by the utilization reviewer. 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. Per review of evidence and guidelines, the request is not medically necessary.