

Case Number:	CM14-0192754		
Date Assigned:	12/01/2014	Date of Injury:	05/27/2013
Decision Date:	01/14/2015	UR Denial Date:	10/30/2014
Priority:	Standard	Application Received:	11/19/2014

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 54 year old female who reported neck, low back, right shoulder and elbow pain from injury sustained on 05/27/13 after she fell off a ladder. Patient is diagnosed with cervical and lumbar strain, lumbar radiculopathy. Patient has been treated with medication, physical therapy, epidural injection and acupuncture. Per acupuncture progress notes dated 09/10/14, patient complains of constantly severe pain and stiffness in the neck, right shoulder and back. She had received 6 acupuncture treatments since august and had some improvement. Per medical notes dated 10/21/14, patient complains of neck pain and discomfort, low back pain and discomfort, and right shoulder pain and discomfort. She reports she has constant burning in her shoulder and upper arm; this worsens after any movement of the shoulder. She wakes up consistently with numbness in the entire arm, this is relieved for a couple of days after the acupuncture then it tends to recur. She feels the acupuncture is helping significantly with her shoulder pain and allowing her to function. Provider requested Additional 8 Acupuncture Treatments which were non-certified by the utilization review. 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:

Additional Acupuncture times 8: 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 medical notes dated 10/21/14, patient complains of neck pain and discomfort, low back pain and discomfort and right shoulder pain. She feels the acupuncture is helping significantly with her shoulder pain and allowing her to function. Provider requested additional 8 acupuncture treatments which were denied by the utilization review. 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. Requested visits exceed the quantity supported by cited guidelines. Per review of evidence and guidelines, Additional 8 Acupuncture Treatments are not medically necessary.