

<b>Case Number:</b>	CM14-0204430		
<b>Date Assigned:</b>	12/16/2014	<b>Date of Injury:</b>	10/20/2011
<b>Decision Date:</b>	02/12/2015	<b>UR Denial Date:</b>	11/04/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	12/08/2014

### 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 Acupuncturist, has a subspecialty in Chiropractic 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 45 year old female who reported neck and low pain from injury sustained on 10/20/11. She was getting off the bus; she accidentally missed a step, lost her balance and fell. MRI of the cervical spine and lumbar spine revealed disc bulges at L4-5 and L5-S1; annular tear at C3-4, C5-6, and C6-7. Patient is diagnosed with lumbar and cervical spine sprain/strain. Patient has been treated with medication, physical therapy, chiropractic and acupuncture. Per medical notes dated 08/04/14, patient complains of neck and low back pain. Examination revealed the patient has mild straightening of the cervical spine. The patient has tenderness with paraspinous muscle spasms over C5-6 and C6-7 as well as tenderness over L4-5 and L5-S1. Examination also revealed decreased range of motion of the cervical and lumbar spine. Patient has had prior acupuncture treatment. Provider requested additional 6 acupuncture treatments for the lumbar spine 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:

**Acupuncture two to three times per week for six weeks for low back area:** 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." The patient has had prior acupuncture treatment. The provider requested additional 12-18 acupuncture treatments for the lumbar spine which were non-certified 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. Per review of evidence and guidelines, 12-18 acupuncture treatments are not medically necessary.