

Case Number:	CM14-0085288		
Date Assigned:	07/23/2014	Date of Injury:	08/15/2013
Decision Date:	01/22/2015	UR Denial Date:	05/15/2014
Priority:	Standard	Application Received:	06/06/2014

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, has a subspecialty in 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 48 year old male who reported left biceps pain from injury sustained on 08/15/13. He was grabbing something heavy from overhead and then he heard and felt a pop and visualized retraction. Patient has surgical repair of the left biceps. X-rays of the left arm revealed biceps tendon repair with endo button. Patient is diagnosed with rupture biceps tendon, traumatic left side; post op visit Indus. Patient has been treated with surgery repair, medication, physical therapy and acupuncture. Per medical notes dated 05/09/14, patient complains of left biceps pain, now doing the 3 lb with bicep curls and tolerating well. He still has swelling and pain over the left biceps and supinator muscles. Examination revealed scar wound healed, swelling increased as compared to last time; tenderness to palpation distal and proximal to scar tissue. His left wrist resisted pronation and supination is still painful. Per medical notes dated 05/23/14, patient complains of left arm pain. Not progression still has swelling and pain over left biceps and supinator muscles. Provider requested additional 2X3 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: Upheld

Claims Administrator guideline: Decision based on MTUS Acupuncture Treatment Guidelines. Decision based on Non-MTUS Citation Official Disability Guidelines/Additional Acupuncture Treatment

MAXIMUS guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

Decision rationale: 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 05/09/14, patient complains of left biceps pain, now doing the 3 lb. with bicep curls and tolerating well. He still has swelling and pain over the left biceps and supinator muscles. Provider requested additional 2X3 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, additional 2x3 acupuncture treatments are not medically necessary.