

Case Number:	CM15-0103585		
Date Assigned:	06/08/2015	Date of Injury:	01/18/2013
Decision Date:	07/10/2015	UR Denial Date:	05/04/2015
Priority:	Standard	Application Received:	06/01/2015

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. 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/Service. He/she is familiar with governing laws and regulations, including the strength of evidence hierarchy that applies to Independent Medical Review determinations.

The Expert Reviewer has the following credentials:
 State(s) of Licensure: Texas, New York, California
 Certification(s)/Specialty: Preventive Medicine, Occupational Medicine

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 applicant is a represented 46-year-old who has filed a claim for chronic ankle, leg, and knee pain reportedly associated with an industrial injury of January 18, 2013. In a Utilization Review report dated May 4, 2015, the claims administrator failed to approve a request for six sessions of acupuncture for the ankle. The claims administrator referenced a RFA form received on April 27, 2015 in its determination, along with progress notes of April 23, 2015 and March 10, 2015 in its determination. It was not clearly stated how much prior acupuncture the applicant had had, although it was suggested that the applicant had returned to regular work. The applicant's attorney subsequently appealed. In a RFA form dated April 23, 2015, six sessions of acupuncture were endorsed. On March 10, 2015, the applicant reported ongoing complaints of ankle pain, 4- 5/10. Ancillary complaints of knee pain were reported. The applicant had apparently hired a personal trainer to help her improve her overall condition level and ameliorate her various pain complaints. The applicant contended that previously provided acupuncture had proven beneficial. Acupuncture and a functional capacity evaluation were endorsed. The applicant's work status was not detailed on this occasion. On April 23, 2015, the applicant reported ongoing complaints of ankle and knee pain status post receipt of earlier acupuncture. Acupuncture, orthotics, and regular duty work were endorsed. It was not explicitly stated whether the applicant was or was not working, however. On March 12, 2015, the applicant stated that the previous provided acupuncture had obviated the need for medications. The applicant was again returned to regular duty work. On January 27, 2015, the applicant's primary treating provider stated that the applicant was maintaining regular duty work status despite ongoing multifocal pain complaints. On December 11, 2014, acupuncture and iontophoresis were endorsed.

IMR ISSUES, DECISIONS AND RATIONALES

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

Additional acupuncture 1 times/week for 6 weeks to the left ankle: Upheld

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

MAXIMUS guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

Decision rationale: No, the request for an additional six sessions of acupuncture was not medically necessary, medically appropriate, or indicated here. The request in question did represent a renewal or extension request for acupuncture. While the Acupuncture Medical Treatment Guidelines in MTUS 9792. 24. 1d acknowledged that acupuncture treatment may be extended if there is evidence of functional improvement as defined in section 9792. 20e, in this case, however, the applicant had in fact plateaued in terms of functional improvement as established in section 9792. 20e despite receipt of earlier unspecified amounts of acupuncture in 2014-2015. While the applicant had apparently returned and/or maintained fulltime work status, ongoing usage of acupuncture failed to generate or obviate the need for other forms of medical treatment. The applicant continued to receive other treatments and other modalities, including orthotics, iontophoresis, a corticosteroid injection, etc. All of the foregoing, taken together, suggested that the applicant had in fact plateaued in terms of functional improvement measures established in MTUS 9792. 20e, despite receipt of extensive prior acupuncture in 2014-2015 alone. Therefore, the request for additional acupuncture was not medically necessary.