

Case Number:	CM15-0207412		
Date Assigned:	10/26/2015	Date of Injury:	11/09/2007
Decision Date:	12/11/2015	UR Denial Date:	09/23/2015
Priority:	Standard	Application Received:	10/21/2015

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 55-year-old who has filed a claim for chronic neck pain reportedly associated with an industrial injury of November 9, 2007. In a Utilization Review report dated September 20, 2015, the claims administrator failed to approve a request for transportation to and from acupuncture visits. The claims administrator referenced a September 9, 2015 office visit in its determination. The applicant's attorney subsequently appealed. On September 9, 2015, the applicant reported ongoing complaints of neck pain. The applicant had six pending acupuncture treatments, it was reported. The attending provider contended that the applicant did not have family members to drive him to and from office visits. The attending provider contended that the applicant's anxiety was making difficult for him to drive himself to and from acupuncture appointments. The applicant's medication list included Restoril, Klonopin, benzotropine, morphine, Percocet, Laxacin, and MiraLax, it was reported. Multiple medications were renewed and continued. Authorization for transfer to and from acupuncture appointments was sought.

IMR ISSUES, DECISIONS AND RATIONALES

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

Transportation to and from acupuncture visits: Upheld

Claims Administrator guideline: Decision based on MTUS Neck and Upper Back Complaints 2004, Section(s): Activity Alteration. Decision based on Non-MTUS Citation ACOEM, July 2012 Low Back Disorders, Activity Alteration.

MAXIMUS guideline: Decision based on MTUS General Approaches 2004, Section(s): Cornerstones of Disability Prevention and Management. Decision based on Non-MTUS Citation Knee & Leg (Acute & Chronic), Transportation (to & from appointments).

Decision rationale: No, the request for transportation to and from acupuncture office visits was not medically necessary, medically appropriate, or indicated here. As noted in the MTUS Guideline in ACOEM Chapter 5, page 83, to achieve functional recovery, applicants must assume responsibilities, one of which includes making and keeping appointments. The request for transportation to and from office visits, thus, per the MTUS Guideline in ACOEM Chapter 5, page 83, is an article of applicant responsibility as opposed to an article of payer responsibility. While ODG's Knee and Leg Chapter Transportation topic notes that transportation is recommended for the purpose of furnishing medically necessary transportation to appointments in the same community for applicants with disability which prevent them from self-transport, here, however, the attending provider did not clearly elaborate why the applicant was unable to convey himself to and from acupuncture office visits of his own accord. The attending provider did not state why the applicant was able to convey himself to and from physician office visits but was reportedly unable to convey himself to and from acupuncture office visits. While the attending provider contended that the applicant's family members could not drive him and that he was too anxious to drive himself, the attending provider did not state why the applicant could not use public transportation or taxis, for instance, for the purpose of conveying himself to and from the acupuncture office visits in question. Therefore, the request is not medically necessary.