

<b>Case Number:</b>	CM15-0089933		
<b>Date Assigned:</b>	05/14/2015	<b>Date of Injury:</b>	12/04/2014
<b>Decision Date:</b>	06/22/2015	<b>UR Denial Date:</b>	04/21/2015
<b>Priority:</b>	Standard	<b>Application Received:</b>	05/11/2015

### 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: California

Certification(s)/Specialty: Chiropractor, Oriental 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 injured worker is a 49 year old male, who sustained an industrial injury on 12/4/14. The injured worker has complaints of low back pain, neck pain, mid back pain and left ankle strain. The documentation noted that there is tenderness in the C4, C5 and C6 spinous processes as well as the trapezius bilaterally. There is tenderness in T6 through T12 on palpation as well as muscles spasms seen. The diagnoses have included cervical strain; lumbar strain and thoracic strain. Treatment to date has included chiropractic treatments; transcutaneous electrical nerve stimulation unit; physical therapy; heat and ice; hydrocodone; morphine/MS contin and motrin. The request was for acupuncture 2 times a week times four weeks for the lumbar spine. Six visits of acupuncture were approved on 4/21/2015.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Acupuncture 2xWk x 4xWks for the lumbar spine:** Upheld

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

**MAXIMUS guideline:** Decision based on MTUS Acupuncture Treatment Guidelines.

**Decision rationale:** According to evidenced based guidelines, further acupuncture after an initial trial is medically necessary based on functional improvement. Functional improvement is defined as a clinically significant improvement in activities of daily living, a reduction in work restrictions, or a reduction of dependency on continued medical treatments or medications. The claimant has had prior acupuncture trial authorized. However, the provider fails to document objective functional improvement associated with the completion of the certified acupuncture trial. If this is a request for an initial trial, 8 visits exceeds the recommended guidelines for an initial trial.