

Case Number:	CM14-0136243		
Date Assigned:	09/03/2014	Date of Injury:	07/03/2013
Decision Date:	10/28/2014	UR Denial Date:	08/06/2014
Priority:	Standard	Application Received:	08/25/2014

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 and 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 44 year old female who reported low back pain from injury sustained on 07/03/13. Mechanism of injury was not documented in the provided medical records. MRI of the lumbar spine dated 06/11/13 revealed disc desiccation at L4-5 and L5-S1, mild L4-5 disc height reduction, L4-5 facet arthrosis left greater than right, and left neuroforaminal narrowing at L4-5. Patient is diagnosed with lumbosacral disc herniation with lower extremity radiculopathy, knee sprain/strain and low back sprain/strain. Patient has been treated with medication, physical therapy and Chiropractic. Per medical notes dated 03/06/14, patient complains of low back pain rated at 4/10. Examination revealed tenderness to palpation of the lumbar spine and thoracic spine paravertebral muscles. Per medical notes dated 03/11/14, patient complains pain rated at 4/10 mainly on the left side. Examination revealed modest pain and tenderness to palpation. Patient has not had prior Acupuncture treatment. Primary treating physician requested initial trial of 12 acupuncture treatments which were modified to 6 by the utilization reviewer.

IMR ISSUES, DECISIONS AND RATIONALES

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

Acupuncture 2x weeks x6 weeks lumbar spine: Upheld

Claims Administrator guideline: Decision based on MTUS Acupuncture Treatment Guidelines. Decision based on Non-MTUS Citation Official Disability Guidelines: Low Back and Acupuncture 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". Patient has not had prior Acupuncture treatment. Primary treating physician requested initial trial of 12 acupuncture treatments which were modified to 6 by the utilization reviewer. Per guidelines 3-6 treatments are supported for initial course of Acupuncture with evidence of functional improvement prior to consideration of additional care. Requested visits exceed the quantity of initial acupuncture visits supported by the cited guidelines. Additional visits may be rendered if the patient has documented objective functional improvement. MTUS- Definition 9792.20 (f) 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. Per guidelines and review of evidence, 2X6 Acupuncture visits are not medically necessary.