

<b>Case Number:</b>	CM14-0140146		
<b>Date Assigned:</b>	09/29/2014	<b>Date of Injury:</b>	08/20/1996
<b>Decision Date:</b>	10/27/2014	<b>UR Denial Date:</b>	08/26/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	08/29/2014

### 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 Acupuncture, and is licensed to practice in Florida. 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 patient is a 54-year-old male who sustained an industrial injury on 8/20/96. The mechanisms of his injuries were lifting/ changing a water closet. The patient was diagnosed with: knee pain, cervical radiculopathy, cervical facet syndrome, depression, NOS, spasms of muscles, and patellofemoral syndrome. The patient has been prescribed the following medications: Norco, Ambien, Imitrex, Gabapentin, Lexapro, Mobic, Duragesic, Hydroxychloroquine and Flexeril. The patient has received PT, lumbar facet injections, trigger point injections, TENS, exercise, right knee surgery, chiropractic care and acupuncture. The documentation provided suggests the patient has had previous acupuncture treatments, however, details regarding these treatments, including time frame courses, and objective signs of improvement were not provided. After reviewing the documentation provided, the records fail to demonstrate any clinical evidence of functional improvement with the prior course of acupuncture treatment provided. The medical necessity for the requested 12 acupuncture sessions for the right knee has not been established.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**12 acupuncture visits to the right knee, as an outpatient:** Upheld

**Claims Administrator guideline:** Decision based on MTUS ACOEM Chapter 13 Knee Complaints, Acupuncture Treatment Guidelines.

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

**Decision rationale:** The patient is a 54-year-old male who sustained an industrial injury on 8/20/96. The mechanisms of his injuries were lifting/ changing a water closet. The patient sustained injuries to his neck and right knee. The patient has received PT, lumbar facet injections, trigger point injections, TENS, exercise, right knee surgery, chiropractic care and acupuncture. The patient was also prescribed medications. The documentation provided suggests the patient has had previous acupuncture treatments, however, details regarding these treatments, including time frame courses, and objective signs of improvement were not provided. As per CA MTUS Acupuncture Medical Treatment Guidelines (9792.24.1) Acupuncture is used as an option when pain medication is reduced or not tolerated, it may be used as an adjunct to physical rehabilitation and/or surgical intervention to expedite functional recovery. Acupuncture treatments may be extended if functional improvement is documented as defined in Section 9792.20 CA MTUS Acupuncture Guidelines requires clinical evidence of functional improvement for additional care to be considered. CA Acupuncture guidelines cited, 9792.24.1 states that the time to produce significant improvement is 3-6 treatments. It also states that acupuncture may be extended if functional improvement is documented including significant improvement in activities of daily living, reduction of work restriction, and reduction of dependency on continued medical treatment. The current documentation does not provide information that the patient received any benefit from the previous acupuncture sessions, and the objective findings from the provider are unknown. Therefore, the request for acupuncture treatments 12 sessions for the left knee would not be medically necessary.