

Case Number:	CM14-0141096		
Date Assigned:	09/10/2014	Date of Injury:	01/14/2012
Decision Date:	10/10/2014	UR Denial Date:	08/14/2014
Priority:	Standard	Application Received:	08/30/2014

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 Board Certified 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 49 year old female who reported low back pain from injury sustained on 01/14/12 while she was pulling a suspect out of a car when she felt a sharp pain. MRI of the lumbar spine dated 10/08/13 revealed 2-3mm left sided disc protrusion at L4-5 indenting the ventral aspect of the thecal sac and 3-4 mm right sided disc protrusion at L2-3. Patient is diagnosed with lumbar degenerative disc disease. Patient has been treated with medial branch block at L3, L4 and L5; radiofrequency neurotomy; physical therapy and medication. Per medical notes dated 06/24/14, she is currently working modified light duty and is tolerating it well. Per medical notes dated 08/04/14, patient is doing the same. She notices that she feels better after working out at the gym which lasts the remaining of the day. Per notes, "she is wondering if acupuncture might be helpful; she would like to try acupuncture or think is reasonable for pain control for her". Provider is requesting initial trial of 2X6 acupuncture treatments which exceed the quantity supported by guidelines.

IMR ISSUES, DECISIONS AND RATIONALES

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

Acupuncture 2 times per week for 6 weeks for the Low Back QTY.12: Upheld

Claims Administrator guideline: Decision based on MTUS Acupuncture Treatment 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. Provider is requesting initial trial of 2X6 acupuncture treatments. Medical records failed to document any functional deficits the patient is experiencing which would necessitate acupuncture care as well functional goals which would be achieved by a trial of care. 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.