

<b>Case Number:</b>	CM14-0141403		
<b>Date Assigned:</b>	09/10/2014	<b>Date of Injury:</b>	04/14/2009
<b>Decision Date:</b>	10/29/2014	<b>UR Denial Date:</b>	08/13/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	09/02/2014

### 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 Acupuncturist 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 53-year-old female who sustained an industrial injury on 4/14/09. The patient stated that she had lifted a case of water while working on a cash register. The patient has been diagnosed with: Post surgical state, neck sprain, cervicgia and joint pain shoulder. She had a bone spur removed in her shoulder in September 2011, and a rotator cuff repair in 2013. The patient has been prescribed the following medications: Ibuprofen, Nexium, Metformin, Nucynta, Norco, Lyrica, Cymbalta, Baclofen, Neurontin and Flexural. The patient has received trigger point injection therapy, chiropractic care, PT and acupuncture. The documentation provided suggests that the patient had received acupuncture treatments in the past; however, it is unclear how many treatments and the functional outcome of these treatments. 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 9 acupuncture sessions has not been established.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Acupuncture 3 x 3:** Upheld

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

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

**Decision rationale:** The patient is a 53-year-old female who sustained industrial injuries to her neck and shoulder on 4/14/09 while attempting to lift a case of water. She had 2 shoulder surgeries; 2011 and 2013. She has had chiropractic care, PT, trigger point injection therapy, prescriptions for numerous medications and acupuncture. The documentation suggests that the patient has had previous acupuncture treatments, however, the duration or functional outcome is unknown. 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 9 acupuncture treatments would not be medically necessary.