

Case Number:	CM14-0162806		
Date Assigned:	10/08/2014	Date of Injury:	06/16/2008
Decision Date:	10/31/2014	UR Denial Date:	09/24/2014
Priority:	Standard	Application Received:	10/03/2014

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 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:

This is a 74 y/o male patient with pain complains of left knee. Diagnoses included patellofemoral arthritis, torn meniscus. Previous treatments included: oral medication, physical therapy, acupuncture (x14 authorized in 2014, gains reported as "clinically significant improvement in activities of daily living, walking, sitting, driving and working") and work modifications amongst others. As the patient presented a flare up, a request for additional acupuncture x6 was made on 09-11-14 by the PTP. The requested care was denied on 10-10-14 by the UR reviewer. The reviewer rationale was "functional improvement documented was related to independent work outs at the gym and not acupuncture...surgery postpone due to the patients Lupus and not the benefits from the acupuncture care...the patient had a flare up while undergoing acupuncture that caused limited activities indicating a lack of clinically significant improvement and documentation does not indicate reduction in the dependency of continued medical treatment".

IMR ISSUES, DECISIONS AND RATIONALES

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

6 Sessions of acupuncture for the left knee: Upheld

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

MAXIMUS guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

Decision rationale: The patient has had an unknown number of acupuncture sessions (since 2011) which were reported as "beneficial" with ADLs improvement (sitting/walking). Although the gains were reported as improved ADLs, no baseline was afforded in order to compare functional levels before and after acupuncture. In addition, simultaneously with the acupuncture care, the patient was going to the gym (independent workouts) and taking medication, so if any gains were obtained, it will not be possible to attribute such gains to the acupuncture care. Also, the request for additional acupuncture care is done due to a flare up (ADLs reduction) while the patient was undergoing acupuncture, therefore it is difficult to support the PTP reports of ADLs improvements with acupuncture. The MTUS note that extension of acupuncture care could be supported for medical necessity "if functional improvement is documented as either a clinically significant improvement in activities of daily living or a reduction in work restrictions and a reduction in the dependency on continued medical treatment." The patient already underwent an unknown number of acupuncture sessions without any objective improvements documented (function-ADLs improvement, medication reduction, work restrictions reduction, etc.). In the absence of clear evidence of significant quantifiable response to treatment obtained with previous acupuncture care, the request for additional acupuncture is not supported for medical necessity.