

Case Number:	CM14-0180159		
Date Assigned:	11/04/2014	Date of Injury:	10/28/2013
Decision Date:	12/12/2014	UR Denial Date:	10/06/2014
Priority:	Standard	Application Received:	10/29/2014

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 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 55 years old male who reported right elbow pain from injury sustained on 10/28/13. Mechanism of injury was not documented in the provided medical records. Patient is diagnosed with right lateral epicondylitis with common extensor tendon interstitial tear and right medial epicondylitis with common pronator group partial tear. Patient has been treated with medication, physical therapy, acupuncture and elbow brace. Per medical notes dated 07/08/14, patient reports acupuncture is helping improve his pain and strength. He noticed small numbness in the right small finger and less so in the ring finger. He denies tingling of the digits. He reports pain in the elbow with use of remote control. Per medical notes dated 07/31/14, he is doing well with current treatment. He is still benefitting from acupuncture. He has aches in his right elbow, but doing ok with modified duties. He would like to continue with acupuncture. Per medical notes dated 09/10/14m patient has completed 12 acupuncture sessions. He reports improved strength secondary to acupuncture. He also reports decreased pain and has to use less Voltaren gel less often. Provider requested additional 6 acupuncture sessions. Medical reports reveal evidence of changes and improvement in findings, revealing a patient who has achieved objective functional improvement to warrant additional treatment.

IMR ISSUES, DECISIONS AND RATIONALES

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

Acupuncture 2x3, 6 sessions to the right elbow: Overturned

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

MAXIMUS guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

Decision rationale: Per MTUS 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". 1) 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 had prior acupuncture treatment. Per medical notes dated 07/31/14, he is benefitting from acupuncture; he has aches in his right elbow, but doing ok with modified duties. Per medical notes dated 09/10/14, patient reports improvement in strength secondary to the acupuncture; he also reports decreased pain and he has to use less Voltaren gel less often. Medical reports reveal evidence of changes and improvement in findings, revealing a patient who has achieved significant objective functional improvement to warrant additional treatment. Additional visits may be rendered if the patient has documented objective functional improvement. Per MTUS guidelines, 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 or decrease in medication intake which was documented in the provided medical records. Per review of evidence and guidelines, 2x3 acupuncture treatments are medically necessary.