

Case Number:	CM14-0089813		
Date Assigned:	09/19/2014	Date of Injury:	11/16/2011
Decision Date:	11/04/2014	UR Denial Date:	05/25/2014
Priority:	Standard	Application Received:	06/13/2014

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 Chiropractic 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 45 year old female who reported low back pain from injury sustained on 11/16/11. Mechanism of injury was not documented in the provided medical records. MRI of the lumbar spine revealed multilevel disc protrusion and straightening of lumbar lordosis. Patient is diagnosed with lumbago. Patient has been treated with medication, physical therapy and acupuncture. Per medical notes dated 02/12/14, patient complains of low back pain rated at 3-4/10 which is described as dull, intermittent and worse with bending forward. Patient has full range of motion of lumbar flexion and extension. There is tenderness to palpation of bilateral paraspinous musculature at L3, L4 and L5. Per medical notes dated 04/23/14, patient complains of neck and low back pain. She reports her back is rated at 4/10 and is described as sharp. She denies any radiation down her legs. That pain is constant, worse with bending forward and lifting, better with walking and physical therapy. The request is for additional 12 acupuncture treatments for lumbar spine. There is no assessment in the provided medical records of functional efficacy with prior acupuncture visits.

IMR ISSUES, DECISIONS AND RATIONALES

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

Acupuncture 3 times a week for 4 weeks for the lumbar spine: 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 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 had prior acupuncture treatment. Per medical notes dated 02/12/14, "patient has had most significant relief with acupuncture in the past". The request is for additional 12 acupuncture treatments for lumbar spine. There is no assessment in the provided medical records of functional efficacy with prior acupuncture visits. Medical reports reveal little evidence of significant changes or improvement in findings, revealing a patient who has not 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. Per review of evidence and guidelines, 3x4 acupuncture treatments are not medically necessary.