

<b>Case Number:</b>	CM14-0093164		
<b>Date Assigned:</b>	07/25/2014	<b>Date of Injury:</b>	04/03/2013
<b>Decision Date:</b>	09/17/2014	<b>UR Denial Date:</b>	06/10/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	06/19/2014

### 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 28 year old male who reported low back pain from injury sustained on 04/03/13 while unloading wall units from a forklift onto a truck. MRI of the lumbar spine revealed disc protrusion at L4-5 and L5-S1 with degenerative changes and osteophyte formation, worse on the left. Patient is diagnosed with lumbar spine pain, lumbar radiculopathy and lumbar disc bulging at L4-5 and L5-S1. Patient has been treated with medication and therapy. Per medical notes dated 02/07/14, patient complains of low back pain which has remained despite conservative treatment, which is associated with lower extremity numbness, tingling and weakness on the left side. Low back pain increases with prolonged standing, walking, bending, twisting and some of his daily routine. Pain is rated at 7/10. Per medical notes dated 05/21/14, patient complains of low back pain. Examination revealed decreased range of motion and tenderness to palpation over the upper, mid and lower paravertebral muscles. He is awaiting lumbar epidural injection. Provider is requesting initial trial of 12 acupuncture treatments. Requested visits exceed the quantity of initial acupuncture visits supported by the cited guidelines.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Acupuncture 2 times a week for 6 weeks for the lumbar spine:** Upheld

**Claims Administrator guideline:** Decision based on MTUS ACOEM Chapter 12 Low Back Complaints, 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. 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, 12 Acupuncture visits are not medically necessary.