

Case Number:	CM14-0099633		
Date Assigned:	07/28/2014	Date of Injury:	08/06/2012
Decision Date:	09/17/2014	UR Denial Date:	06/12/2014
Priority:	Standard	Application Received:	06/27/2014

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 licensed in Chiropractic, has a subspecialty 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:

The injured worker is a 22 year old male who reported low back pain from injury sustained on 08/06/12 while lifting a 120 pound pipe. EMG/ NCV revealed no radiculopathy. Patient is diagnosed with lumbar sprain and lumbar radiculopathy. Patient has been treated with medication, epidural injection, chiropractic and acupuncture. Per medical notes dated 04/24/14, patient feels 55% normal after 2/6 acupuncture treatments. He woke up much more comfortable than usual and much more comfortable sitting in class for 2 hours and had to only get up 2 time, usually has to get up 2X every hour. Per medical notes dated 06/04/14, patient complains of low back pain. He describes the pain as an ache to a sharp pain. Pain is moderate and constant and worsens by bending backwards or being stationary for too long. Pain is improved with stretches, heat, medication and acupuncture. He also notes that it is accompanied with pain in the legs. Pain is rated at 4/10. He completed 6/6 acupuncture treatments and found it helpful. He would like more treatment. With acupuncture, he is able to walk for 30 minutes vs. prior to treatment 15-20minutes; he is able to use the bike for 20 minutes which he was not able to before. Provider is requesting additional 6 acupuncture treatments. 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:

Six (6) additional sessions of Acupuncture: 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, "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 06/04/14, patient has completed 6 acupuncture treatment and found it helpful; he states he is able to sit longer, able to walk for 30 minutes (before treatment 15-20 minutes), he is able to bike for 20 minutes which he couldn't before starting acupuncture. Medical reports reveal evidence of changes and improvement in findings, revealing a patient who has achieved 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, 2x3 Acupuncture treatments are medically necessary.