

<b>Case Number:</b>	CM15-0017628		
<b>Date Assigned:</b>	02/05/2015	<b>Date of Injury:</b>	05/20/2012
<b>Decision Date:</b>	03/25/2015	<b>UR Denial Date:</b>	01/02/2015
<b>Priority:</b>	Standard	<b>Application Received:</b>	01/29/2015

### 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. 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/Service. He/she is familiar with governing laws and regulations, including the strength of evidence hierarchy that applies to Independent Medical Review determinations.

The Expert Reviewer has the following credentials:

State(s) of Licensure: California

Certification(s)/Specialty: Chiropractor, Oriental Medicine

### 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 year old male with an industrial injury dated 05/20/2012. The mechanism of injury is not documented in the submitted records. He presented on 11/21/2014 complaining of low back pain radiating to his legs with weakness and tingling in his lower extremities. Physical exam revealed tenderness, guarding and spasms over the paravertebral region and spinous process bilaterally. Prior treatments included physical therapy, chiropractic care, acupuncture, bracing, anti-inflammatory medications and epidural injections. MRI of lumbar spine dated 06/06/2014 is documented in the 11/21/2014 note. Diagnoses were lumbar disc protrusion at lumbar 4-5 and lumbar 5- sacral 1 and lumbar degenerative disc disease at lumbar 4-5 and lumbar 5-sacral 1. On 01/02/2015 utilization review issued a decision modifying the request for acupuncture 8 (2 x 4) sessions for cervical and lumbar spine to 2 acupuncture visits. MTUS was cited.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Acupuncture (8 sessions) for the cervical and lumbar spine:** Upheld

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

**MAXIMUS guideline:** Decision based on MTUS Acupuncture Treatment Guidelines.

**Decision rationale:** Patient has had prior acupuncture treatment. Provider requested additional 8 acupuncture sessions which were modified to 2 by the utilization review. Requested visits exceed the quantity supported by cited guidelines. 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, 8 acupuncture treatments are not medically necessary.