



Southwestern Forensic
Associates, Inc.

REVIEWER'S REPORT

DESCRIPTION OF THE SERVICE OR SERVICES IN DISPUTE:

Examination under anesthesia, lumbar laminectomy/discectomy at L2/L3, L4/L5, L5/S1, arthrodesis with cages, posterior instrumentation L5/S1

DESCRIPTION OF QUALIFICATIONS OF REVIEWER:

M.D., board certified orthopedic surgeon with extensive experience in the evaluation and treatment patients suffering spine problems

REVIEW OUTCOME:

“Upon independent review, I find that the previous adverse determination or determinations should be (check only one):

Upheld (Agree)

Overturned (Disagree)

Partially Overturned (Agree in part/Disagree in part)

INFORMATION PROVIDED FOR REVIEW:

1. SWF forms
2. TDI referral forms
3. Denial letters, 04/09/10 and 04/20/10
4. Admission orders
5. Clinical notes, , M.D., 02/23/10
6. MRI scan reviewed, 02/23/10
7. Presurgical screening psychological evaluation, 03/23/10
8. EMG/nerve conduction study, 11/12/09, revealing possible L5/S1 neuropathy and also prediabetic neuropathy
9. Incomplete Designated Doctor Evaluation, 11/04/09
10. Results of a lumbar MRI scan
11. Fax cover sheets, primary and appeal
12. Email from to Terry Fung, 04/19/10

INJURED EMPLOYEE CLINICAL HISTORY (Summary):

The injured employee is a male who sustained an injury on xx/xx/xx when he fell from a stage stair, striking a cement column, resulting in back pain and right leg pain. He has

been treated, by statement, for eight months with physical therapy, medications, and activity modifications as well as epidural steroid injections. Documentation of such treatment is provided only as a declarative statement. X-rays of his lumbar spine revealed no specific degenerative joint disease. Flexion and extension laterals revealed foraminal stenosis and retrolisthesis. Physical examination revealed positive extensor lag in the lower extremities, sciatic notch tenderness, diminished knee jerk and ankle jerk on the right side. He was felt to be suffering multiple level herniated nucleus pulposus protrusions and an extensive surgical decompression of the lumbar spine with anterior fusion and posterior instrumentation at L5/S1 was made. A Designated Doctor Evaluation performed on 11/04/09 provided the patient with 5% whole person impairment rating. The request for extensive decompression anterior fusion at multiple levels and posterior fusion at L5/S1 was considered and denied, reconsidered and denied.

ANALYSIS AND EXPLANATION OF THE DECISION, INCLUDING CLINICAL BASIS, FINDINGS AND CONCLUSIONS USED TO SUPPORT DECISION:

The indications for the extensive surgical procedure involving discectomy and anterior fusion with cages from L2 through L5 are not clear. There is no clear evidence of instability justifying posterior fusion at L5/S1. The previous denial of this request for an extensive anterior decompression from L2 through L5 with anterior interbody fusion and a posterior instrumented fusion at L5/S1 was appropriate and should be upheld.

DESCRIPTION AND SOURCE OF THE SCREENING CRITERIA OR OTHER CLINICAL BASIS USED TO MAKE YOUR DECISION:

(Check any of the following that were used in the course of your review.)

- ACOEM-American College of Occupational & Environmental Medicine UM Knowledgebase.
- AHCPR-Agency for Healthcare Research & Quality Guidelines.
- DWC-Division of Workers' Compensation Policies or Guidelines.
- European Guidelines for Management of Chronic Low Back Pain.
- Interqual Criteria.
- Medical judgment, clinical experience and expertise in accordance with accepted medical standards.
- Mercy Center Consensus Conference Guidelines.
- Milliman Care Guidelines.
- ODG-Official Disability Guidelines & Treatment Guidelines, 2008, Cervical Spine Chapter, Discography passage.
- Pressley Reed, The Medical Disability Advisor.
- Texas Guidelines for Chiropractic Quality Assurance & Practice Parameters.
- Texas TACADA Guidelines.
- TMF Screening Criteria Manual.
- Peer reviewed national accepted medical literature (provide a description).
- Other evidence-based, scientifically valid, outcome-focused guidelines (provide a description.)