

## Notice of Independent Review Decision

**DATE OF REVIEW:**

01/17/2011

**IRO CASE #:****DESCRIPTION OF THE SERVICE OR SERVICES IN DISPUTE**

Twelve sessions of physical therapy (97110, 97140, G0283, and 97140).

**A DESCRIPTION OF THE QUALIFICATIONS FOR EACH PHYSICIAN OR OTHER HEALTH CARE PROVIDER WHO REVIEWED THE DECISION**

Board Certified Chiropractor

**REVIEW OUTCOME**

Upon independent review the reviewer finds that the previous adverse determination/adverse determinations should be: **Upheld**

Provide a description of the review outcome that clearly states whether or not medical necessity exists for each of the health care services in dispute.

**The medical necessity for the requested twelve sessions of physical therapy is not established.**

**INFORMATION PROVIDED TO THE IRO FOR REVIEW**

- TDI/DIVISION OF WORKERS' COMPENSATION referral form
- 01/06/11 Facsimile Transmittal with note
- 01/04/11 MCMC Referral
- 01/04/11 Notice To Utilization Review Agent of Assignment, DWC
- 01/04/11 Notice to MCMC, LLC Of Case Assignment, DWC
- 01/03/11 Confirmation of Receipt of a Request For a Review, DWC
- 12/29/10 Request For A Review By An Independent Review Organization
- 12/29/10 IRO Request For Physical Therapy, D.C., Spine and Rehab
- 12/08/10 Preauthorization Determination Appeal Denied letter,
- 12/07/10 Physician Advisor Determination, D.C.,
- 11/30/10 Reconsideration for Physical Therapy letter, DC, Spine and Rehab
- 11/30/10, 11/03/10 Pre-Authorization Request TWCC Advisory 96-11, Spine & Rehab
- 11/30/10 Fax cover sheet with note from Spine & Rehab
- 11/12/10 Preauthorization Determination Denied letter,
- 11/05/10 PPE, D.C., Spine and Rehab
- 11/03/10 Fax cover sheet with note from Spine & Rehab
- 10/29/10 Subsequent Evaluation Spine and Rehab
- 10/26/10 Subsequent Evaluation, M.D., Spine and Rehab

- 09/17/10 Letter of Medical Necessity for Evaluation, M.D., Spine and Rehab
- 09/13/10, 09/20/10 Office Visit notes
- 07/06/10 Subsequent Evaluation, M.D., Spine and Rehab
- Note: Carrier did not supply ODG Guidelines.

**PATIENT CLINICAL HISTORY [SUMMARY]:**

Records indicate that the injured individual is a male who presented to the office of the attending provider (AP) complaining of low back pain that occurred as a result of an occupational injury. This history reveals that the injured individual was involved in an occupational injury that reportedly occurred on or about xx/xx/xx. Lumbar spine fusion surgery was performed on 03/19/2010 and since that time, some eighteen sessions of post-operative therapy has been administered according to a letter of appeal from the AP disputing a previous claim that thirty sessions had been attended. The same letter of appeal states that as a result of the post-operative regime, the injured individual has demonstrated increased ranges of motion and decreased pain levels. The records indicate that the injured individual had previously undergone MRI and electrodiagnostic evaluations. MRI revealed multiple disc lesions with stenosis and electrodiagnostic evaluation revealed lumbar nerve root irritation.

**ANALYSIS AND EXPLANATION OF THE DECISION INCLUDE CLINICAL BASIS, FINDINGS AND CONCLUSIONS USED TO SUPPORT THE DECISION.**

Based on the submitted records the injured individual has undergone eighteen sessions of postoperative therapy. However the records do not adequately demonstrate that the initial course of postoperative care has resulted in significant measurable objective and/or subjective gains. The records contain only two identifiable dates where quantified objective or subjective values were collected. From 10/29/2010 to 11/05/2010 range of motion values actually decreased. These two dates represent the only collection and recording of actual comparative objective or subjective data within the submitted and reviewed clinical notations. Subjective pain values remained constant within the reviewed submitted data at 6/10. Even though the letter of appeal from the AP contains anecdotal statements that the injured individual had improved during the course of care, there is an absence of documented evidence of ongoing therapeutic gain including ranges of motion, subjective pain values, ortho/neuro examination findings or functional outcome assessments. As such, there would be no reasonable expectations that the requested course of care would likely result in additional therapeutic gain not already realized, reported or perceived. Therefore, given the lack of evidence of therapeutic gain from the quantified collection of comparative objective and/or subjective data, the medical necessity for the requested course of post-operative therapy is not established.

**A DESCRIPTION AND THE SOURCE OF THE SCREENING CRITERIA OR OTHER CLINICAL BASIS USED TO MAKE THE DECISION:****ODG- OFFICIAL DISABILITY GUIDELINES & TREATMENT GUIDELINES**

LowBack

Online Version

Recommended. There is strong evidence that physical methods, including exercise and return to normal activities, have the best long-term outcome in employees with low back pain. See also [Exercise](#). Direction from physical and occupational therapy providers can play a role in this, with the evidence supporting active therapy and not extensive use of passive modalities. The most effective

strategy may be delivering individually designed exercise programs in a supervised format (for example, home exercises with regular therapist follow-up), encouraging adherence to achieve high dosage, and stretching and muscle-strengthening exercises seem to be the most effective types of exercises for treating chronic low back pain. ([Hayden, 2005](#)) Studies also suggest benefit from early use of aggressive physical therapy (“sports medicine model”), training in exercises for home use, and a functional restoration program, including intensive physical training, occupational therapy, and psychological support. ([Zigenfus, 2000](#)) ([Linz, 2002](#)) ([Cherkin-NEJM, 1998](#)) ([Rainville, 2002](#)) Successful outcomes depend on a functional restoration program, including intensive physical training, versus extensive use of passive modalities. ([Mannion, 2001](#)) ([Jousset, 2004](#)) ([Rainville, 2004](#)) ([Airaksinen, 2006](#)) One clinical trial found both effective, but chiropractic was slightly more favorable for acute back pain and physical therapy for chronic cases. ([Skargren, 1998](#)) A spinal stabilization program is more effective than standard physical therapy sessions, in which no exercises are prescribed. With regard to manual therapy, this approach may be the most common physical therapy modality for chronic low back disorder, and it may be appropriate as a pain reducing modality, but it should not be used as an isolated modality because it does not concomitantly reduce disability, handicap, or improve quality of life. ([Goldby-Spine, 2006](#)) Better symptom relief is achieved with directional preference exercise. ([Long, 2004](#)) As compared with no therapy, physical therapy (up to 20 sessions over 12 weeks) following disc herniation surgery was effective. Because of the limited benefits of physical therapy relative to “sham” therapy (massage), it is open to question whether this treatment acts primarily physiologically, but psychological factors may contribute substantially to the benefits observed. ([Erdogmus, 2007](#)) See also specific physical therapy modalities, as well as [Exercise](#); [Work conditioning](#); [Lumbar extension exercise equipment](#); [McKenzie method](#); [Stretching](#); & [Aquatic therapy](#). [Physical therapy is the treatment of a disease or injury by the use of therapeutic exercise and other interventions that focus on improving posture, locomotion, strength, endurance, balance, coordination, joint mobility, flexibility, activities of daily living and alleviating pain. ([BlueCross BlueShield, 2005](#)) As for visits with any medical provider, physical therapy treatment does not preclude an employee from being at work when not visiting the medical provider, although time off may be required for the visit.]

***Active Treatment versus Passive Modalities:*** The use of active treatment modalities instead of passive treatments is associated with substantially better clinical outcomes. In a large case series of patients with acute low back pain treated by physical therapists, those adhering to guidelines for active rather than passive treatments incurred fewer treatment visits, cost less, and had less pain and less disability. The overall success rates were 64.7% among those adhering to the active treatment recommendations versus 36.5% for passive treatment. ([Fritz, 2007](#)) The most commonly used active treatment modality is Therapeutic exercises (97110), but other active therapies may be recommended as well, including Neuromuscular reeducation (97112), Manual therapy (97140), and Therapeutic activities/exercises (97530). A recent RCT comparing active spinal stabilization exercises (using the GDS or Godelive Denys-Struyf method) with passive electrotherapy using TENS plus microwave treatment (considered conventional physical therapy in Spanish primary care), concluded that treatment of nonspecific LBP using the GDS method provides greater improvements in the midterm (6 months) in terms of pain, functional ability, and quality of life. ([Arribas, 2009](#))

***Patient Selection Criteria:*** Multiple studies have shown that patients with a high level of fear-avoidance do much better in a supervised physical therapy exercise program, and patients with low fear-avoidance do better following a self-directed exercise program. When using the Fear-Avoidance Beliefs Questionnaire ([FABQ](#)), scores greater than 34 predicted success with PT supervised care.

([Fritz, 2001](#)) ([Fritz, 2002](#)) ([George, 2003](#)) ([Klaber, 2004](#)) ([Riipinen, 2005](#)) ([Hicks, 2005](#)) Without proper patient selection, routine physical therapy may be no more effective than one session of assessment and advice from a physical therapist. ([Frost, 2004](#)) Patients exhibiting the centralization phenomenon during lumbar range of motion testing should be treated with the specific exercises (flexion or extension) that promote centralization of symptoms. When findings from the patient's history or physical examination are associated with clinical instability, they should be treated with a trunk strengthening and stabilization exercise program. ([Fritz-Spine, 2003](#)) Practitioners must be cautious when implementing the wait-and-see approach for LBP, and once medical clearance has been obtained, patients should be advised to keep as active as possible. Patients presenting with high fear avoidance characteristics should have these concerns addressed aggressively to prevent long-term disability, and they should be encouraged to promote the resumption of physical activity. ([Hanney, 2009](#))

Post Epidural Steroid Injections: ESIs are currently recommended as a possible option for short-term treatment of radicular pain (sciatica), defined as pain in dermatomal distribution with corroborative findings of radiculopathy. The general goal of physical therapy during the acute/subacute phase of injury is to decrease guarding, maintain motion, and decrease pain and inflammation. Progression of rehabilitation to a more advanced program of stabilization occurs in the maintenance phase once pain is controlled. There is little evidence-based research that addresses the use of physical therapy post ESIs, but it appears that most randomized controlled trials have utilized an ongoing, home directed program post injection. Based on current literature, the only need for further physical therapy treatment post ESI would be to emphasize the home exercise program, and this requirement would generally be included in the currently suggested maximum visits for the underlying condition, or at least not require more than 2 additional visits to reinforce the home exercise program. ESIs have been found to have limited effectiveness for treatment of chronic pain. The claimant should continue to follow a home exercise program post injection. ([Luijsterburg, 2007](#)) ([Luijsterburg2, 2007](#)) ([Price, 2005](#)) ([Vad, 2002](#)) ([Smeal, 2004](#))

Post-surgical (discectomy) rehab: A recent Cochrane review concluded that exercise programs starting 4-6 weeks post-surgery seem to lead to a faster decrease in pain and disability than no treatment; high intensity exercise programs seem to lead to a faster decrease in pain and disability than low intensity programs; home exercises are as good as supervised exercises; and active programs do not increase the re-operation rate. Although it is not harmful to return to activity after lumbar disc surgery, it is still unclear what exact components should be included in rehabilitation programs. High intensity programs seem to be more effective but they could also be more expensive. Another question is whether all patients should be treated post-surgery or is a minimal intervention with the message return to an active lifestyle sufficient, with only patients that still have symptoms 4 to 6 weeks post-surgery requiring rehabilitation programs. ([Ostelo, 2009](#))

#### **Official Disability Guidelines Physical Therapy Guidelines –**

Allow for fading of treatment frequency (from up to 3 or more visits per week to 1 or less), plus active self-directed home PT. Also see other general guidelines that apply to all conditions under Physical Therapy in the [ODG Preface](#), including assessment after a "six-visit clinical trial".

#### **Lumbar sprains and strains (ICD9 847.2):**

10 visits over 8 weeks

#### **Sprains and strains of unspecified parts of back (ICD9 847):**

10 visits over 5 weeks

#### **Sprains and strains of sacroiliac region (ICD9 846):**



Medical treatment: 10 visits over 8 weeks

**Lumbago; Backache, unspecified (ICD9 724.2; 724.5):**

9 visits over 8 weeks

**Intervertebral disc disorders without myelopathy (ICD9 722.1; 722.2; 722.5; 722.6; 722.8):**

Medical treatment: 10 visits over 8 weeks

Post-injection treatment: 1-2 visits over 1 week

Post-surgical treatment (discectomy/laminectomy): 16 visits over 8 weeks

Post-surgical treatment (arthroplasty): 26 visits over 16 weeks

Post-surgical treatment (fusion, after graft maturity): 34 visits over 16 weeks