

Notice of Independent Review Decision

**REVIEWER'S REPORT**

**DATE OF REVIEW:** 05/21/12

**IRO CASE #:**

**DESCRIPTION OF THE SERVICE OR SERVICES IN DISPUTE:**

No letter(s) of denial were provided that clearly outlined the treatment/services in dispute in this case. It should be noted that on page 2 of 4 of form LHLO-09, the requestor (injured worker) states Denied Services as "no longer paying for doctor visits or prescription drugs; need reimbursement". However, the only services stated to be dispute in Section VIII of the IRO form are prescriptions from 06/15/09 – 10/22/11.

A list of physician office visits was provided for the period of 06/22/09 – 10/18/11 as part of the medical records submitted for review.

**DESCRIPTION OF QUALIFICATIONS OF REVIEWER:**

M.D., F.A.C.S., board certified orthopedic surgeon, having practice orthopedic surgery for more than 30 years and have extensive experience in the evaluation and treatment of patients suffering chronic low back pain and radiculopathy

**REVIEW OUTCOME:**

Upon independent review, I find that the previous adverse determination or determinations should be:

- Upheld (Agree)  
 Overturned (Disagree)  
 Partially Overturned (Agree in part/Disagree in part)

<i>Primary Diagnosis Code</i>	<i>Service Being Denied</i>	<i>Billing Modifier</i>	<i>Type of Review</i>	<i>Units</i>	<i>Date(s) of Service</i>	<i>Amount Billed</i>	<i>Date of Injury</i>	<i>DWC Claim #</i>	<i>Upheld Overturn</i>
722.83	65162-0627-11		Retrospective	90	06/15/09 – 06/15/09	\$25.00			Overturn
722.83	00378-0155-05		Retrospective	90	06/15/09 – 06/15/09	\$34.50			Overturn


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722.83	00378-0451-05		Retrospective	60	06/18/09 – 06/18/09	\$15.00		Overturn
722.83	65162-0627-11		Retrospective	90	07/16/09 – 07/16/09	\$25.00		Overturn
722.83	00143-1348-05		Retrospective	60	07/16/09 – 07/16/09	\$15.00		Overturn
722.83	00378-0155-05		Retrospective	90	07/16/09 – 07/16/09	\$34.50		Overturn
722.83	65162-0627-11		Retrospective	90	08/19/09 – 08/19/09	\$25.00		Overturn
722.83	00143-1348-05		Retrospective	60	08/19/09 – 08/19/09	\$15.00		Overturn
722.83	00378-0155-05		Retrospective	90	08/19/09 – 08/19/09	\$34.50		Overturn
722.83	00378-0155-05		Retrospective	90	09/21/09 – 09/21/09	\$34.50		Overturn
722.83	00143-1348-05		Retrospective	60	09/21/09 – 09/21/09	\$15.00		Overturn
722.83	65162-0627-11		Retrospective	90	09/21/09 – 09/21/09	\$25.00		Overturn
722.83	65162-0627-11		Retrospective	90	10/21/09 – 10/21/09	\$25.00		Overturn
722.83	0378-0155-05		Retrospective	90	10/21/09 – 10/21/09	\$34.50		Overturn
722.83	00143-1348-05		Retrospective	60	10/21/09 – 10/21/09	\$15.00		Overturn
722.83	65162-0627-11		Retrospective	90	11/18/09 – 11/18/09	\$25.00		Overturn
722.83	0378-0155-05		Retrospective	90	11/18/09 – 11/18/09	\$34.50		Overturn
722.83	00143-1348-05		Retrospective	60	11/18/09 – 11/18/09	\$15.00		Overturn
722.83	65162-0627-11		Retrospective	90	12/16/09 – 12/16/09	\$25.00		Overturn
722.83	0378-0155-05		Retrospective	90	12/16/09 – 12/16/09	\$34.50		Overturn
722.83	00143-1348-05		Retrospective	60	12/16/09 – 12/16/09	\$15.00		Overturn
722.83	65162-0627-11		Retrospective	90	01/21/10 – 04/26/10	\$100.00		Overturn
722.83	0378-0155-05		Retrospective	90	01/21/10 – 01/21/10	\$138.00		Overturn
722.83	00143-1348-05		Retrospective	60	01/21/10 – 01/21/10	\$60.00		Overturn
722.83	0071-1013-68		Retrospective	30	05/04/10 – 05/04/10	\$85.00		Overturn
722.83	65162-0627-11		Retrospective	90	05/21/10 – 05/21/10	\$25.00		Overturn
722.83	0378-		Retrospective	120	05/21/10 –	\$40.00		Overturn

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	0155-05				05/21/10			
722.83	00143-1348-05		Retrospective	60	05/21/10 – 05/21/10	\$15.00		Overturn
722.83	00143-1348-05		Retrospective	60	06/21/10-06/21/10	\$15.00		Overturn
722.83	0378-0155-05		Retrospective	120	07/15/10 – 07/15/10	\$40.00		Overturn
722.83	00143-1348-05		Retrospective	60	07/19/10 – 07/19/10	\$5.00		Overturn
722.83	65162-0627-11		Retrospective	90	07/19/10 – 07/19/10	\$5.00		Overturn
722.83	0071-1013-68		Retrospective	30	08/05/10 – 08/05/10	\$78.65		Overturn
722.83	00603-5438-32		Retrospective	120	08/16/10 – 08/16/10	\$15.35		Overturn
722.83	00143-1348-05		Retrospective	60	08/17/10 – 08/17/10	\$5.00		Overturn
722.83	00143-1348-05		Retrospective	60	10/20/10 – 10/20/10	\$5.00		Overturn
722.83	00603-5438-32		Retrospective	120	09/18/10 – 09/18/10	\$15.35		Overturn
722.83	00143-1348-05		Retrospective	60	09/18/10 – 09/18/10	\$5.00		Overturn
722.83	00603-5438-32		Retrospective	120	11/10/10 – 11/10/10	\$15.35		Overturn
722.83	00143-1348-05		Retrospective	60	11/18/10 – 11/18/10	\$5.00		Overturn
722.83	651162-0627-11		Retrospective	90	12/17/10 – 12/17/10	\$5.00		Overturn
722.83	00143-1348-05		Retrospective	60	12/17/10 – 12/17/10	\$5.00		Overturn
722.83	00591-3202-01		Retrospective	120	12/17/10 – 12/17/10	\$45.00		
722.83	00591-3202-01		Retrospective	120	01/17/11 – 01/17/11	\$45.00		Overturn
722.83	00143-1348-05		Retrospective	60	01/17/11 – 01/17/11	\$5.00		Overturn
722.83	65162-0627-11		Retrospective	90	02/14/11 – 02/14/11	\$5.00		Overturn
722.83	00143-1348-05		Retrospective	60	02/18/11 – 02/18/11	\$5.00		Overturn
722.83	00591-3202-01		Retrospective	120	02/18/11 – 02/18/11	\$45.00		Overturn
722.83	00591-3202-01		Retrospective	120	03/19/11 – 03/19/11	\$45.00		Overturn
722.83	65162-0627-11		Retrospective	90	03/21/11 – 03/21/11	\$5.00		Overturn
722.83	00143-1348-05		Retrospective	60	03/21/11 – 03/21/11	\$5.00		Overturn
722.83	00591-		Retrospective	120	04/20/11 –	\$45.00		Overturn

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	3202				04/20/11			
722.83	00143-1348-05		Retrospective	60	04/22/11 – 04/22/11	\$5.00		Overturn
722.83	65162-0627-11		Retrospective	90	05/06/11 – 05/06/11	\$5.00		Overturn
722.83	00143-1348-05		Retrospective	60	05/20/11 – 05/20/11	\$5.00		Overturn
722.83	00591-3202-01		Retrospective	90	05/20/11 – 05/20/11	\$45.00		Overturn
722.83	65162-0627-11		Retrospective	90	06/14/11 – 06/14/11	\$5.00		Overturn
722.83	00143-1348-05		Retrospective	60	06/21/11 – 06/21/11	\$5.00		Overturn
722.83	00591-3202-01		Retrospective	120	06/21/11 – 06/21/11	\$45.00		Overturn
722.83	68180-5202-01		Retrospective	30	06/24/11 – 06/24/11	\$5.00		Overturn
722.83	00143-1348-05		Retrospective	60	07/20/11 – 07/20/11	\$5.00		Overturn
722.83	65162-0627-11		Retrospective	90	07/22/11- 07/22/11	\$5.00		Overturn
722.83	00591-3202-01		Retrospective	120	07/25/11 – 07/25/11	\$45.00		Overturn
722.83	53746-0190-05		Retrospective	60	08/20/11 – 08/20/11	\$5.00		Overturn
722.83	00591-3202-01		Retrospective	60	09/01/11 – 09/01/11	\$22.50		Overturn
722.83	65162-0627-11		Retrospective	90	09/08/11 – 09/08/11	\$5.00		Overturn
722.83	59746-0001-05		Retrospective	21	09/12/11 – 09/12/11	\$35.00		Overturn
722.83	00591-3202-01		Retrospective	60	09/19/11 – 09/19/11	\$22.50		Overturn
722.83	53746-0190-05		Retrospective	60	09/22/11 – 09/22/11	\$5.00		Overturn
722.83	00591-3202-01		Retrospective	60	10/05/11 – 10/05/11	\$19.51		Overturn
722.83	53746-0190-05		Retrospective	60	10/22/11 – 10/22/11	\$5.00		Overturn
722.83	00591-3202-01		Retrospective	60	10/22/11 – 10/22/11	\$22.50		Overturn
722.83	65162-0627-11		Retrospective	90	10/22/11 – 10/22/11	\$5.00		Overturn

#### INFORMATION PROVIDED FOR REVIEW:

1. TDI case assignment.
2. List of Rx and physician office visits in dispute. 06/22/09 through 04/18/12.
3. Required Medical Exam 02/22/12.
4. Correspondence from pain specialist 10/27/11.

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5. Review of Medical Records 11/23/11 and Comprehensive Medical Analysis 11/28/11.
6. Pain management evaluation and follow up: 06/22/09, 05/08/09 & 02/06/09.
7. Review of Medical Records 06/05/09.
8. Comprehensive Medical Analysis 06/08/09.

**INJURED EMPLOYEE CLINICAL HISTORY (Summary):**

The patient is a male who suffers chronic low back pain and left leg pain. His initial injury is not described. He underwent a surgical procedure reportedly at the level of L4/L5 in July 1998. He was able to return to work; however, he had a lifting/straining type injury on 12/18/98. He was initially treated for lumbar sprain and strain. He received non-operative treatment. However, he suffered persistent pain leading to a surgical procedure performed on 02/10/00. The procedure was reportedly re-exploration at the level of L4/L5 for recurrent herniated nucleus pulposus. Subsequent to that surgical procedure, he has had chronic pain.

He has been treated with multiple medications including Lyrica and hydrocodone 5/625, tramadol, Naprosyn, and Darvocet-N 100 until it was removed from the market. He has been evaluated currently in a pain management program subsequent to June 2009. He has been evaluated on an approximately every three-month basis, and his pain medication has been provided as well as other medications listed above. His physical examination includes 1.5-cm atrophy, left calf, with diminished sensation in the L5 dermatome. Current diagnoses include lumbar spondylosis, failed back syndrome, lumbar facet arthropathy, and chronic pain syndrome.

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

This individual clearly suffers failed back syndrome. He has undergone two surgical procedures at the level of L4/L5 and a number of non-operative treatment programs. He has also undergone epidural steroid injections and facet joint injections without significant benefit. He is significantly disabled as a result of his chronic pain. It would appear that the periodic evaluations between June 2009 and April 2012 were appropriate for the evaluation and continuance of prescription medications. It would appear that the medications Lyrica, hydrocodone, tramadol, Naprosyn, and Darvocet-N 100 were appropriate and utilized in an appropriate fashion in a chronic pain management program.

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

- \_\_\_\_\_ ACOEM-American College of Occupational & Environmental Medicine UM Knowledgebase.
- \_\_\_\_\_ AHCPH-Agency for Healthcare Research & Quality Guidelines.
- \_\_\_\_\_ DWC-Division of Workers' Compensation Policies or Guidelines.

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- 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.
- 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.)