

IRO- AMERICA - Ziroc

October 9, 2002

David Martinez
TWCC Medical Dispute Resolution
4000 IH 35 South, MS 48
Austin, TX 78704

Patient:
TWCC #:
MDR Tracking #: M5-02-2627-01
IRO #: 5251

Ziroc has been certified by the Texas Department of Insurance as an Independent Review Organization. The Texas Worker's Compensation Commission has assigned this case to Ziroc for independent review in accordance with TWCC Rule 133.308 which allows for medical dispute resolution by an IRO.

Ziroc has performed an independent review of the care rendered to determine if the adverse determination was appropriate. In performing this review, all relevant medical records and documentation utilized to make the adverse determination, along with any documentation and written information submitted, was reviewed.

This case was reviewed by a licensed Doctor of Chiropractic. The Ziroc health care professional has signed a certification statement stating that no known conflicts of interest exist between the reviewer and any of the treating doctors or providers or any of the doctors or providers who reviewed the case for a determination prior to the referral to Ziroc for independent review. In addition, the reviewer has certified that the review was performed without bias for or against any party to the dispute.

CLINICAL HISTORY

_____ is a 42 year old male who was injured on June 13, 2001 while performing his work duties as an American Airlines baggage handler. He has worked in the fleet service occupation for 18 years. The compensable work injury to his neck, right shoulder and interscapular area occurred while he was moving and picking up a heavy package. He initially underwent several weeks of care at Concentra Medical Center prior to consulting with Dr. Charles W. Hebert. On August 15, 2001 he reported to Dr. Hebert's office with the complaints of right shoulder pain, neck pain and numbness and tingling into the right arm. He was diagnosed with a cervical disc injury and radiculopathy. He returned to work on August 17, 2001 without restrictions.

Radiographs of the cervical spine performed on August 15, 2001 reportedly revealed signs of early degenerative arthritis with decreased intervertebral foramen spacing on the right at C5-6. MRI performed on October 4, 2001 revealed 1-3 mm midline disc herniations at C3-4, C5-6 and C6-7. There was a broad based disc bulge C4-5 and mild canal stenosis at C4-5 and C5-6.

Dr. Hebert's treatment continued from August 15, 2002 to November 12, 2001 for at least 33 visits. Dr. Hebert referred Mr. _____ to Dr. Willis for trigger point injections, which were performed on November 29, 2001. Mr. _____ returned to Dr. Hebert's office on December 26, 2001 reporting an exacerbation of his original work related symptoms. Mr. _____ reported that he

was sitting on his knees and pulling on a bag and felt immediate pain and discomfort. Dr. Hebert reported observing swelling in the right trapezius and decreased range of motion in flexion and left rotation. Dr. Hebert's treatment plan following the exacerbation was for 1 visit per week from 12-26-2001 to 2-12-2002. Dr. Hebert determined Mr. _____ to be at MMI with 5% impairment on February 14, 2002.

DISPUTED SERVICES

Office visits with manipulation denied as medically unnecessary from December 26, 2001 to February 12, 2002.

DECISION

The reviewer disagrees with the prior adverse determination.

BASIS FOR THE DECISION

Documentation recorded on 12-26-2001 supports a work related exacerbation of Mr. _____' original work injuries. It is my opinion that medical necessity for 6 chiropractic office visits (99213-mp) from 12-26-2001 to 2-12-2002 is supported by the documentation. The care rendered by Dr. Hebert falls within the parameters set forth in the Texas Guidelines for Chiropractic Quality Assurance and Practice Parameters. Documentation reveals Mr. _____ to have a high work ethic, demonstrated by Dr. Chamblin's note that the claimant had never missed work and he was trying to keep a perfect record. Mr. _____ is obviously a highly motivated 18-year veteran baggage handler for American Airlines. I know of no test or measurement to measure a patient's motivation to work or, in this case, overwork. Dr. Hebert counseled Mr. _____ on 12-26-2001 of lifestyle adaptations and recommended that Mr. _____ be reassigned to a job less likely to re-injure or flare-up his injuries. Dr. Hebert's care was necessary to enhance and enable Mr. _____' ability to retain his job duties as a productive and responsible employee.

As an officer of ZRC Services, Inc, dba Ziroc, I certify that there is no known conflict between the reviewer, Ziroc and/or any officer/employee of the IRO with any person or entity that is a party to the dispute.

Ziroc is forwarding this finding by US Postal Service to the TWCC.

Sincerely,

Nan Cunningham
President/CEO

CC: Ziroc Medical Director