

MDR Tracking Number: M5-02-2633-01

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective January 1, 2002 and Commission Rule 133.305 and 133.308 titled Medical Dispute Resolution by Independent Review Organizations, the Medical Review Division (Division) assigned an IRO to conduct a review of the disputed medical necessity issues between the requestor and the respondent.

The Division has reviewed the enclosed IRO decision and determined that **the requestor did not prevail** on the issues of medical necessity. The IRO agrees with the previous determination that the lumbar and cervical MRI's rendered were not medically necessary.

Based on review of the disputed issues within the request, the Division has determined that the lumbar and cervical MRI fees were the only fees involved in the medical dispute to be resolved. As the treatment, lumbar and cervical MRI's were not found to be medically necessary, reimbursement for date of service 6/26/01 is denied and the Division declines to issue an Order in this dispute.

This Decision is hereby issued this 9th day of October 2002.

Carol R. Lawrence  
Medical Dispute Resolution Officer  
Medical Review Division

CRL/crl

#### NOTICE OF INDEPENDENT REVIEW DECISION

September 25, 2002

Rosalinda Lopez  
Program Administrator  
Medical Review Division  
Texas Workers Compensation Commission  
4000 South IH-35, MS 48  
Austin, TX 78704-7491

RE: MDR Tracking #: M5-02-2633-01  
IRO Certificate #: 4326

\_\_\_ has been certified by the Texas Department of Insurance (TDI) as an independent review organization (IRO). The Texas Workers' Compensation Commission (TWCC) has assigned the above referenced case to \_\_\_ for independent review in accordance with TWCC Rule §133.308 which allows for medical dispute resolution by an IRO.

\_\_\_ has performed an independent review of the rendered care to determine if the adverse determination was appropriate. In performing this review, relevant medical records, any documents utilized by the parties referenced above in making the adverse determination, and any documentation and written information submitted in support of the appeal was reviewed.

The independent review was performed by a matched peer with the treating health care professional. This case was reviewed by a health care professional licensed in chiropractic care. \_\_\_ health care professional has signed a certification statement stating that no known conflicts of interest exist between him or her and any of the treating physicians or providers or any of the physicians or providers who reviewed the case for a determination prior to the referral to \_\_\_ for independent review. In addition, the reviewer has certified that the review was performed without bias for or against any party to this case.

### Clinical History

Based on the information provided for review, this 47 year old female sustained a work related injury to her neck and back on \_\_\_\_. The patient underwent plain x-rays on 06/06/01 which were essentially normal. The patient underwent MRIs of the cervical and lumbar spine on 06/26/01. The patient was treated conservatively with medication and passive treatments at 3 times per week for 3 weeks.

### Requested Service(s)

MRIs of the cervical and lumbar spine

### Decision

It is determined that the MRIs of the cervical and lumbar spine were not medically necessary to treat this patient's condition.

### Rationale/Basis for Decision

Routine spinal imaging tests are not indicated in the first month of symptoms except in the case of the presence of neurological deficits, progressive neurological loss, or any other indicators that would signal a serious condition. The medical record documentation provided contains no information pertaining to the presence of neurological deficits, progressive neurological loss or any other indicators that would necessitate the use of MRI of the lumbar and cervical region. Therefore, the MRIs of the cervical and lumbar spine were not medically necessary.

Sincerely,