

February 2, 2006

TX DEPT OF INS DIV OF WC
AUSTIN, TX 78744-1609

CLAIMANT:

POLICY: M5-05-3232-01

CLIENT TRACKING NUMBER:

Medical Review Institute of America (MRIOA) has been certified by the Texas Department of Insurance as an Independent Review Organization (IRO). The Texas Department of Insurance Division of Workers Compensation has assigned the above mentioned case to MRIOA for independent review in accordance with DWC Rule 133 which provides for medical dispute resolution by an IRO.

MRIOA has performed an independent review of the case in question 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. Itemization of this information will follow.

The independent review was performed by a peer of the treating provider for this patient. The reviewer in this case is on the DWC approved doctor list (ADL). The reviewing provider has no known conflicts of interest existing between that provider and the injured employee, the injured employee's employer, the injured employee's insurance carrier, the utilization review agent, or any of the treating doctors or insurance carrier health care providers who reviewed the case for decision before referral to the IRO.

Records Received:

Records Received From The State:

- Notification Of IRO Assignment, 9/23/05 - 2 Pages
- Medical Dispute Resolution Request/Response, Undated - 2 Pages
- Table Of Disputed Services, Undated - 4 Pages
- Explanation Of Payment, 9/8/04-11/4/04 - 10 Pages

Records Received From The Respondent (United States Fire Ins. c/o Crum And Forster):

- Letter From Bose Consulting, LLC To Texas Worker's Compensation Commission, Undated - 1 Page
- Table Of Disputed Services, Undated - 6 Pages
- Original EOBs, 6/11/04-9/1/04 - 8 Pages
- Health Insurance Claim Forms, 5/17/04-10/7/04 - 29 Pages
- Outpatient Admission Form, 2/17/05 - 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 11/24/03 - 1 Page
- Pain And Recovery Clinical Of Houston-SW Initial Medical Report, 11/24/03 - 3 Pages
- Texas Workers' Compensation Work Status Report, 11/24/03 - 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 11/25/03 - 1 Page
- Fort Bend Imaging Lumbosacral Spine Series Report, 11/25/03 - 1 Page

- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 11/26/03-12/3/03 - 4 Pages
- Texas Workers' Compensation Work Status Report, 12/3/03 - 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 12/17/03 - 1 Page
- North Houston Imaging Center AP And Lateral Views Of The Lumbosacral Spine Report, North Houston Imaging Center Lumbar Spine With Contrast Report, 12/18/03 - 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 12/23/03-1/21/04 - 9 Pages
- Houston Spine Surgery New Patient Evaluation, 1/22/04 - 3 Pages
- Letter From Guy R. Fogel, MD to Brett Garner, DC, 1/22/04 - 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 1/23/04-1/28/04 - 3 Pages
- Pain And Recovery Clinical Of Houston-SW Subsequent Medical Report, 1/28/04 - 2 Pages
- Texas Workers' Compensation Work Status Report, 1/29/04 - 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 1/30/04-2/9/04 - 5 Pages
- Texas Workers' Compensation Work Status Report, 2/9/04 - 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 2/11/04-2/13/04 - 2 Pages
- Letter Of Clarification From Southwest Diagnostics And Rehabilitation Center, 2/15/04 - 4 Pages
- Letter From Robert Lee Brownhill, MD To Patient, 2/27/04 - 1 Page
- Letter From Robert Lee Brownhill, MD, To Crum And Forster/Plano, 2/27/04 - 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 3/1/04-3/8/04 - 4 Pages
- Texas Workers' Compensation Work Status Report, 3/8/04 - 1 Page
- Pain And Recovery Clinical Of Houston-SW Subsequent Medical Report, 3/8/04- 2 Pages
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 3/10/04-4/7/04 - 13 Pages
- Texas Workers' Compensation Work Status Report, 4/12/04 - 1 Page
- Fax Cover Sheet From Casepro, Inc. To Lois Fivecoat, 4/13/04 - 1 Page
- Optimum Medical Testing Referral Request For Diagnostic Testing, 4/13/04 - 1 Page
- U.S. Anesthetics Services, PA Comprehensive Pain Consultation, 4/15/04 - 3 Pages
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 4/21/04 - 1 Page
- Forte Notice Of Utilization Review Findings, 4/22/04 - 3 Pages
- Optimum Medical Testing Chart Note, 4/22/04 - 2 Pages
- Electrodiagnostic Results, 4/22/04 - 2 Pages
- EMG Study Superbill, 4/22/04 - 1 Page
- Optimum Medical Testing Electrodiagnostic Supplies Sheet, undated - 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 4/23/04-4/26/04 - 2 Pages
- Letter From Robert Lee Brownhill, MD To Crum And Forester/Plano, 4/27/04 - 6 Pages
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 4/28/04 - 1 Page
- East Side Surgery Center, Inc. Operative Report, 4/29/04 - 2 Pages
- East Side Surgery Center, Inc. Anesthesia Record, 4/29/04 - 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 4/30/04-5/12/04 - 5 Pages
- Texas Workers' Compensation Work Status Report, 5/12/04 - 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 5/14/04-5/17/04 - 2 Pages
- U.S. Anesthetics Services, PA Comprehensive Pain Follow Up, 5/20/04 - 6 Pages
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 5/19/04-5/24/04 - 3 Pages
- Forte CFDA - Crum And Forster Insurance Daily Pre-Authorization Referrals, 5/21/04 - 1 Page
- Referral To Ravindra S. Arora, MD By Texas Workers' Compensation Commission, 5/24/04 - 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 5/26/04 - 1 Page
- Forte Notice Of Utilization Review Findings, 5/27/04 - 3 Pages
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 5/28/04-6/7/04 - 4 Pages
- Texas Workers' Compensation Work Status Report, 6/7/04 - 1 Page

- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 6/14/04 - 1 Page
- Report Of Medical Evaluation From Churchill Evaluation Centers, 6/15/04 - 2 Pages
- DWC-69 Report Of Medical Evaluation, 6/15/04 - 1 Page
- Review Of Medical History And Physical Exam, 6/15/04 - 2 Pages
- East Side Surgery Center, Inc. Operative Report, 6/17/04 - 2 Pages
- East Side Surgery Center, Inc. Right Transforaminal ESI Report, 6/17/04 - 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 6/18/04-6/23/04 - 3 Pages
- Pain And Recovery Clinical Of Houston-SW Subsequent Medical Report, 6/23/04- 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 7/2/04-7/7/04 - 3 Pages
- U.S. Anesthetics Services, PA Comprehensive Pain Follow Up, 7/7/04 - 3 Pages
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 7/12/04-7/14/04 - 2 Pages
- Forte Notice Of Utilization Review Findings, 7/15/04 - 2 Pages
- Forte CFDA - Crum And Forster Insurance Daily Pre-Authorization Referrals, 7/9/04 - 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 7/20/04-7/26/04 - 3 Pages
- East Side Surgery Center, Inc. Operative Report, 7/29/04 - 2 Pages
- East Side Surgery Center, Inc. Right SI Joint Injections Report, 7/29/04 - 1 Page
- East Side Surgery Center, Inc. Anesthesia Record, 7/29/04 - 1 Page
- Letter Regarding Response To RME From Southwest Diagnostics And Rehabilitation Center, 8/5/04 - 4 Pages
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 8/6/04-8/13/04 - 2 Pages
- Letter From Robert Lee Brownhill, MD To Crum And Forester, 8/13/04 - 2 Pages
- Pain And Recovery Clinical Of Houston-SW Subsequent Medical Report, 8/16/04- 2 Pages
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 8/16/04 - 1 Page
- Texas Workers' Compensation Work Status Report, 8/16/04 - 1 Page
- Review Of Medical History And Physical Exam, 9/1/04 - 1 Page
- ARCON AIRS - Impairment Rating Report, 9/1/04 - 1 Page
- Report Of Medical Evaluation From Churchill Evaluation Centers, 9/1/04 - 2 Pages
- DWC-69 Report Of Medical Evaluation, 9/1/04 - 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 9/7/04 - 1 Page
- Optimum Medical Testing Functional Capacity Evaluation, 9/8/04 - 4 Pages
- Functional Capacity Evaluation Summary, 9/8/04 - 1 Page
- Lumbar Range Of Motion Report, 9/8/04 - 1 Page
- Computerized Muscle Testing Exam, 9/8/04 - 2 Pages
- Task Lift Test, 9/8/04 - 1 Page
- Work Activities And Postures Report, 9/8/04 - 1 Page
- Grip Exam, 9/8/04 - 1 Page
- Exam Summary, 9/8/04 - 1 Page
- Reliability Of Efforts, 9/8/04 - 1 Page
- Physical Findings Report, 9/8/04 - 1 Page
- Cardiovascular Tests, 9/8/04 - 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 9/13/04-9/24/04 - 3 Pages
- Pain And Recovery Clinical Of Houston-SW Subsequent Medical Report, 9/27/04- 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 9/27/04 - 1 Page
- Texas Workers' Compensation Work Status Report, 9/27/04- 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 9/30/04 - 1 Page
- Pain And Recovery Clinical Of Houston-SW Subsequent Medical Report, 10/7/04- 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 10/7/04 - 1 Page
- Optimum Medical Testing Prescription For Medical Testing, 10/13/04 - 1 Page
- Optimum Medical Testing Functional Capacity Evaluation, 10/13/04 - 3 Pages

- Functional Capacity Evaluation Summary, 10/13/04 – 1 Page
- Lumbar Range Of Motion Report, 10/13/04 – 1 Page
- Computerized Muscle Testing Exam, 10/13/04 – 2 Pages
- Task Lift Test, 10/13/04 – 1 Page
- Work Activities And Postures Report, 10/13/04 – 1 Page
- Grip Exam, 10/13/04 – 1 Page
- Exam Summary, 10/13/04 – 1 Page
- Reliability Of Efforts, 10/13/04 – 1 Page
- Physical Findings Report, 10/13/04 – 1 Page
- Cardiovascular Tests, 10/13/04 – 1 Page
- Optimum Medical Testing Patient Information, 10/14/04 – 2 Pages
- Physical Findings Report, Undated, 1 Page
- Lumbar Range Of Motion Report, Undated– 1 Page
- Computerized Muscle Testing Exam, Undated – 2 Pages
- Impairment Summaries, Undated, 1 Page
- DWC–69 Report Of Medical Evaluation, 10/14/04 – 1 Page
- Texas Workers' Compensation Work Status Report, 12/22/04 – 1 Page
- Pain And Recovery Clinical Of Houston–SW Daily Progress Note, 12/22/04– 1 Page
- Texas Workers' Compensation Work Status Report, 12/22/04 – 1 Page
- U.S. Anesthetics Services, PA Pain Management Follow–up Evaluation, 12/28/04 – 2 Pages
- U.S. Anesthetics Services, PA Precertification Request, Illegible Date – 1 Page
- Pain And Recovery Clinical Of Houston–SW Daily Progress Note, 1/18/05– 1 Page
- U.S. Anesthetics Services, PA Comprehensive Pain Follow Up, 2/1/05 – 3 Pages
- East Side Imaging Operative Report, 2/17/05 – 2 Pages
- East Side Imaging Anesthesia Record, 2/17/05 – 1 Page
- East Side Imaging Charge Sheet, 2/17/05 – 1 Page
- Walter K. Long, MD Subsequent Medical Report, 2/21/05 – 2 Pages
- U.S. Anesthetics Services, PA Pain Management Follow–up Evaluation, 3/8/05 – 2 Pages
- UniMed Direct LLC Peer Review, 3/17/05 – 3 Pages
- Walter K. Long, MD Subsequent Medical Report, 3/21/05 – 1 Page
- TrailBlazer OnLine Fee Schedules, 3/22/05 – 1 Page
- Letter from US Imaging, Inc. To Crum And Foster, 5/18/05 – 1 Page
- Concentra Bill Audit, undated – 1 Page
- Screen Print, Undated – 1 Page
- Concentra Bill Audit, Undated – 1 Page
- Screen Print, Undated – 1 Page
- Patient Information, Undated – 1 Page
- Bose Consulting List Of Exhibits, Undated – 2 Pages
- Bose Consulting LLC Position Statement, Undated – 4 Pages
- Optimum Medical Testing Chart Notes, 4/22/04 – 2 Pages
- Pain And Recovery Clinic Of Houston–SW Initial Therapy Evaluation, 12/2/03 – 2 Pages
- Pain And Recovery Clinic Of Houston–SW Subsequent Medical Report, 4/12/04 – 2 Pages
- U.S. Anesthetics Services, PA Comprehensive Pain Consultation, 4/15/04 – 3 Pages
- Letter From U.S. Anesthetics Services, PA, 8/16/04 – 1 Page
- Pain And Recovery Clinical Of Houston–SW Daily Progress Note, 8/23/04– 1 Page
- Letter Of Clarification From Pain And Recovery Clinical Of Houston–SW, 11/9/04 – 2 Pages
- Explanation Of Payment, 9/8/04–11/4/04 – 10 Pages
- East Side Imaging Outpatient Admission Form, 2/17/05 – 2 Pages
- East Side Imaging Operative Report, 2/17/05 – 2 Pages

- East Side Imaging Operative Report, 2/17/05 – 2 Pages
- East Side Imaging Anesthesia Record, 2/17/05 – 1 Page
- East Side Imaging Anesthesia Record, 2/17/05 – 1 Page
- East Side Imaging Anesthesia Record, 2/17/05 – 1 Page
- East Side Imaging Charge Sheet, 2/17/05 – 1 Page
- TrailBlazer OnLine Fee Schedules, 3/22/05 – 1 Page
- East Side Imaging Operative Report, 2/17/05 – 2 Pages
- UniMed Direct LLC Peer Review, 3/17/05 – 3 Pages
- U.S. Anesthetics Services, PA Pain Management Follow-up Evaluation, 12/28/04 – 2 Pages
- Texas Workers' Compensation Work Status Report, 9/27/04 – 1 Page
- Fax Cover Sheet From Churchill Evaluation Centers To Lois Fivecoat, 9/14/04 – 1 Page
- DWC-69 Report Of Medical Evaluation, 9/1/04 – 1 Page
- Report Of Medical Evaluation From Churchill Evaluation Centers, 9/1/04 – 2 Pages
- Review Of Medical History And Physical Exam, 9/1/04 – 1 Page
- ARCON AIRS – Impairment Rating Report, 9/1/04 – 1 Page
- Texas Workers' Compensation Work Status Report, 8/16/04 – 1 Page
- East Side Surgery Center, Inc. Operative Report, 7/29/04 – 2 Pages
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 5/10/04-4/30/04- 4 Pages
- East Side Surgery Center, Inc. Operative Report, 4/29/04 – 2 Pages
- East Side Surgery Center, Inc. Operative Report, 4/29/04 – 2 Pages
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 4/28/04 – 1 Page
- Letter From Robert Lee Brownhill, MD To Crum And Forester/Plano, 4/27/04 – 6 Pages
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 5/17/04-5/21/04 – 3 Pages
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 7/20/04-7/26/04 – 3 Pages
- U.S. Anesthetics Services, PA Pain Management Follow-up Evaluation, 7/7/04 – 3 Pages
- Fax Cover Sheet From Churchill Evaluation Centers To Lois Fivecoat, 6/24/04 – 1 Page
- Fax Cover Sheet From Churchill Evaluation Centers To Lois Fivecoat, 9/14/04 – 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 6/21/04-6/23/04 – 2 Pages
- East Side Surgery Center, Inc. Operative Report, 6/17/04 – 2 Pages
- DWC-69 Report Of Medical Evaluation, 9/15/04 – 1 Page
- Report Of Medical Evaluation From Churchill Evaluation Centers, 6/15/04 – 2 Pages
- Review Of Medical History And Physical Exam, 6/15/04 – 2 Pages
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 6/7/04-6/18/04 – 3 Pages
- Letter From Robert Lee Brownhill, MD To Crum And Forester/Plano, 4/27/04 – 6 Pages
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 4/23/04-4/26/04 – 2 Pages
- Optimum Medical Testing Chart Notes, 4/22/04 – 2 Pages
- Electrodiagnostic Results, 4/22/04 – 2 Pages
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 4/21/04 – 1 Page
- Forte Notice Of Utilization Review Findings, 4/21/04 – 2 Pages
- Forte CFDA – Crum And Forster Insurance Daily Pre-Authorization Referrals, 4/16/04 – 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 3/8/04-4/2/04 – 4 Pages
- Texas Workers' Compensation Work Status Report, 3/8/04 – 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 3/8/04 – 1 Page
- Texas Workers' Compensation Work Status Report, 2/9/04 – 1 Page
- Texas Workers' Compensation Work Status Report, 2/9/04 – 1 Page
- Fax Cover Sheet From New Plan Excel Realty Trust To Lois Fivecoat, 2/3/04 – 1 Page
- Fax Cover Sheet From New Plan Excel Realty Trust To Debbie Garofalo, 1/29/04 – 1 Page
- Letter From Guy R. Fogel, MD To Brett Garner, DC, 1/22/04 – 1 Page
- Houston Spine Surgery New Patient Evaluation, 1/22/04 – 3 Pages

- Houston Spine Surgery New Patient Evaluation, 1/22/04 – 3 Pages
- Houston Spine Surgery New Patient Evaluation, 1/22/04 – 3 Pages
- Fax Cover Sheet From Houston Spine Surgery To Unknown Recipient, Undated – 1 Page
- Fax Cover Sheet From Pain And Recovery Clinic Of Houston To Unknown Recipient, 12/2/03 – 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 1/5/04–1/7/04 – 2 Pages
- North Houston Imaging Center AP And Lateral Views Of The Lumbosacral Spine Report, 12/18/03 – 1 Page
- Texas Workers' Compensation Work Status Report, 12/3/03 – 1 Page
- Pain And Recovery Clinical Of Houston-SW Initial Medical Report, 11/24/03 – 3 Pages

Records Received From The Requestor (Pain And Recovery Clinic c/o Bose Consulting LLC):

- North Houston Imaging Center AP And Lateral Views Of The Lumbosacral Spine Report, 12/18/03 – 1 Page
- Pain And Recovery Clinical Of Houston-SW Initial Medical Report, 11/24/03 – 3 Pages
- Pain And Recovery Clinical Of Houston-SW Subsequent Medical Report, 10/7/04 – 2 Pages
- Pain And Recovery Clinical Of Houston-SW Subsequent Medical Report, 8/16/04 – 2 Pages
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 7/2/04–7/7/04 – 4 Pages
- Letter Regarding Response To RME From Southwest Diagnostics And Rehabilitation Center, 8/5/04 – 4 Pages
- Letter Regarding Response To RME From Southwest Diagnostics And Rehabilitation Center, 8/5/04 – 4 Pages
- Houston Spine Surgery New Patient Evaluation, 1/22/04 – 3 Pages
- Letter From Guy R. Fogel, MD To Brett Garner, MD, 1/22/04 – 1 Page
- Letter Of Clarification From Southwest Diagnostics And Rehabilitation Center, 2/15/04 – 4 Pages
- Pain And Recovery Clinical Of Houston-SW Subsequent Medical Report, 3/8/04 – 2 Pages
- Electrodiagnostic Results, 4/22/04 – 2 Pages
- East Side Surgery Center, Inc. Operative Report, 4/29/04 – 2 Pages
- U.S. Anesthetics Services, PA Comprehensive Pain Follow Up, 5/18/04 – 3 Pages
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 6/14/04–6/23/04 – 4 Pages
- Pain And Recovery Clinical Of Houston-SW Subsequent Medical Report, 6/23/04 – 1 Page
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 7/2/04–7/7/04 – 3 Pages
- U.S. Anesthetics Services, PA Comprehensive Pain Follow Up, 7/6/04 – 3 Pages
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 7/12/04–7/26/04 – 5 Pages
- Letter Regarding Response To RME From Southwest Diagnostics And Rehabilitation Center, 8/5/04 – 4 Pages
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 8/6/04–8/13/04 – 2 Pages
- Pain And Recovery Clinical Of Houston-SW Subsequent Medical Report, 8/16/04 – 2 Pages
- Pain And Recovery Clinical Of Houston-SW Daily Progress Note, 8/16/04–9/7/04 – 2 Pages
- Optimum Medical Testing Functional Capacity Evaluation, 9/8/04 – 4 Pages
- Functional Capacity Evaluation Summary, 9/8/04 – 1 Page
- Lumbar Range Of Motion Report, 9/8/04 – 1 Page
- Computerized Muscle Testing Exam, 9/8/04 – 2 Pages
- Task Lift Test, 9/8/04 – 1 Page
- Work Activities And Postures Report, 9/8/04 – 1 Page
- Grip Exam, 9/8/04 – 1 Page
- Exam Summary, 9/8/04 – 1 Page

- Reliability Of Efforts, 9/8/04 – 1 Page
- Physical Findings Report, 9/8/04 – 1 Page
- Cardiovascular Tests, 9/8/04 – 1 Page
- Pain And Recovery Clinical Of Houston–SW Daily Progress Note, 9/13/04–9/24/04 – 3 Pages
- Pain And Recovery Clinical Of Houston–SW Subsequent Medical Report, 9/27/04 – 1 Page
- Pain And Recovery Clinical Of Houston–SW Daily Progress Note, 9/27/04–9/30/04 – 2 Pages
- Pain And Recovery Clinical Of Houston–SW Subsequent Medical Report, 10/7/04 – 1 Page
- Pain And Recovery Clinical Of Houston–SW Daily Progress Note, 10/7/04 – 1 Page
- Optimum Medical Testing Functional Capacity Evaluation, 9/8/04 – 4 Pages
- Functional Capacity Evaluation Summary, 10/13/04 – 1 Page
- Lumbar Range Of Motion Report, 10/13/04 – 1 Page
- Computerized Muscle Testing Exam, 10/13/04 – 2 Pages
- Task Lift Test, 10/13/04 – 1 Page
- Work Activities And Postures Report, 10/13/04 – 1 Page
- Grip Exam, 10/13/04 – 1 Page
- Exam Summary, 10/13/04 – 1 Page
- Reliability Of Efforts, 10/13/04 – 1 Page
- Physical Findings Report, 10/13/04 – 1 Page
- Cardiovascular Tests, 10/13/04 – 1 Page
- Optimum Medical Testing Impairment Evaluation, 10/14/04 – 2 Pages

Summary of Treatment/Case History:

The claimant underwent diagnostic imaging, extensive physical medicine treatments and injections after injuring his lumbar spine at work on 12/___/03 when he slipped on the pavement after walking down a ramp.

Questions for Review:

Office visits (#99212), electrical stimulation (#97032), manual therapy technique (#97140) therapeutic exercises (#97110), neuromuscular reeducation (#97112), office visits (#99214), FCE (#97750–FC) and misc DME (#E1399) from 08/13/04 to 10/13/04.

Please respond to the allegations made by Bose Consulting, LLC and specifically address codes #97032, #97140, #97750–FC and #E1399 not specifically addressed?

Conclusion:

Office visits (#99212), electrical stimulation (#97032), manual therapy technique (#97140) therapeutic exercises (#97110), neuromuscular reeducation (#97112), office visits (#99214), FCE (#97750–FC) and misc DME (#E1399) from 08/13/04 to 10/13/04.

Please respond to the allegations made by Bose Consulting, LLC and specifically address codes #97032, #97140, #97750–FC and #E1399 not specifically addressed?

Answer Regarding Bose Consulting, LLC

In the original review, this reviewer stated,

“The provider’s Bose Consulting, LLC report is completely without foundation. After outlining the history of treatments performed, it then repeats verbatim “boilerplate” language that has

been submitted in multiple other MDRs. Therefore, it is not in any way specific to this case and is without any standing whatsoever.”

Other than one irrelevant finding on page 3 (SLR improved from 45 degrees on 04/13/04 to 60 degrees on 07/06/04), this reviewer’s opinion of the Bose Consulting, LLC report is entirely correct regarding the provider’s treatment of this claimant. The report has no foundation, outlines the history of treatments, repeats verbatim “boilerplate” language that has been submitted in other MDRs and (other than the one irrelevant finding previously mentioned) is not specific to this case.

It is important to mention that the Bose Consulting, LLC report was included as a document for the case review. As such, it is the reviewer’s responsibility to review and comment on documents that are extremely relevant or extremely irrelevant. In this case, the latter was true and why the Bose Consulting, LLC report was commented upon.

Nevertheless, this reviewer gives Medical Review Institute of America complete authority to redact the name of Bose Consulting, LLC from the review or delete the Bose Consulting, LLC paragraph in its entirety.

Answer Regarding Codes # 97032, #97140, #97750-FC and #E1 399:

The denial was global in nature due to the overall facts and bases outlined in my review. While I addressed the basis (utilizing the word “specifically”) for the denial of certain specific treatments, all treatments during the time frame in question were medically unnecessary – whether “specifically” addressed with commentary/references or not.

References Used in Support of Decision:

1. Texas Labor Code 408.021
2. CPT 2004
3. HGSA Medicare Medical Policy Bulletin, Physical Therapy Rehabilitation Services, original policy effective date 4/1/1993 (Y -1B)
4. Ostelo RW, de Vet HC, Waddell G, Kerchhoffs MR, Leffers P, van Tulder M. Rehabilitation following first time lumbar disc surgery: a systemic review within the framework of the Cochrane collaboration. Spine. 2003 Feb 1; 28 (3): 209–18

This review was provided by a chiropractor licensed in Texas, certified by the National Board of Chiropractic Examiners, and who is a member of the American Chiropractic Association and has several years of licensing board experience. This reviewer has written numerous publications and given several presentations with their field of specialty. This reviewer has been in continuous active practice for over twenty-five years.

MRIOA is forwarding this decision by mail, and in the case of time sensitive matters by facsimile, a copy of this finding to the DWC.

It is the policy of Medical Review Institute of America to keep the names of its reviewing physicians confidential. Accordingly, the identity of the reviewing physician will only be released as required by state or federal regulations. If release of the review to a third party, including an insured and/or provider, is necessary, all applicable state and federal regulations must be followed.

Medical Review Institute of America retains qualified independent physician reviewers and clinical advisors who perform peer case reviews as requested by MRIOA clients. These physician reviewers and clinical advisors are independent contractors who are credentialed in accordance with their particular specialties, the standards of the American Accreditation Health Care Commission (URAC), and/or other state and federal regulatory requirements.

The written opinions provided by MRIOA represent the opinions of the physician reviewers and clinical advisors who reviewed the case. These case review opinions are provided in good faith, based on the medical records and information submitted to MRIOA for review, the published scientific medical literature, and other relevant information such as that available through federal agencies, institutes and professional associations. Medical Review Institute of America assumes no liability for the opinions of its contracted physicians and/or clinician advisors. The health plan, organization or other party authorizing this case review agrees to hold MRIOA harmless for any and all claims which may arise as a result of this case review. The health plan, organization or other third party requesting or authorizing this review is responsible for policy interpretation and for the final determination made regarding coverage and/or eligibility for this case.

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Case Analyst: Jamie C ext 583

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