

March 24, 2003

Re: MDR #: M2-02-1031-01
IRO Certificate No.: IRO 5055

In accordance with the requirement for TWCC to randomly assign cases to IROs, TWCC assigned your case to ___ for an independent review. ___ has performed an independent review of the medical records to determine medical necessity. In performing this review, ___ reviewed relevant medical records, any documents provided by the parties referenced above, and any documentation and written information submitted in support of the dispute.

The independent review was performed by a matched peer with the treating health care provider. Your case was reviewed by a physician who is Board Certified in Anesthesiology and Pain Management.

Clinical History:

This 53-year-old gentleman suffered a contusion to the left arm and elbow as the result of a fall on ___ while on his job. He has experienced pain and decreased range of motion, in spite of extensive physical therapy, work hardening and NSAID's.

An MRI of the left shoulder on 03/26/01, indicated mild to moderate degenerative changes at the AC joint, with inferiorly directed osteophytic change and rotator cuff impingement also being a consideration.

Disputed Services:

Multi-disciplinary chronic pain management program, X5 per week for 15 weeks.

Decision:

The reviewer agrees with the determination of the insurance carrier. The reviewer is of the opinion that the pain management program as outlined above is not medically necessary in this case.

Rationale for Decision:

This patient should have realistically healed to provide significant functional improvement within one to two months. In spite of his probable functional overlay, as noted in the chart, he has had not SSRI's or other antidepressants prescribed for him, as would seem to be appropriate. He has had no EMG or nerve conduction velocity studies with regard to possible left C-6 nerve root impingement, as noted on the MRI of 03/17/01.

The reviewer is of the opinion that this patient has had adequate treatment during the course of his physical therapy and work hardening programs, and sees that a chronic pain program would not be appropriate or medically necessary in this case.

I am the Secretary and General Counsel of ___ and I certify that the reviewing physician in this case has certified to our organization that there are no known conflicts of interest that exist between him and any of the treating physicians or other health care providers or any of the physicians or other health care providers who reviewed this care for determination prior to referral to the Independent Review Organization.

We are simultaneously forwarding copies of this report to the payor and the Texas Workers' Compensation Commission. This decision by ___ is deemed to be a Commission decision and order.

YOUR RIGHT TO REQUEST A HEARING

Either party to this medical dispute may disagree with all or part of this decision and has a right to request a hearing.

If disputing a spinal surgery prospective decision a request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings **within ten (10) days** of your receipt of this decision (28 Tex. Admin. Code 142.5©).

If disputing other prospective medical necessity (preauthorization) decisions a request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings **within twenty (20) days** of your receipt of this decision (28 Tex. Admin. Code 148.3).

This Decision is deemed received by you **five (5) days** after it was mailed (28 Tex. Admin. Code 102.4(h) or 102.5 (d)). A request for a hearing should be sent to:

Chief Clerk of Proceedings
Texas Workers' Compensation Commission, MS-48
P.O. Box 40669
Austin, TX 78704-0012

A copy of this decision should be attached to the request. The party appealing the decision shall deliver a copy of its written request for a hearing to all other parties involved in the dispute.

I hereby verify that a copy of this Independent Review Organization (IRO) Decision was sent to the carrier, the requestor and claimant via facsimile or U.S. Postal Service from the office of the IRO on March 24, 2003.

Sincerely,