

NOTICE OF INDEPENDENT REVIEW DECISION

September 26, 2002

RE: MDR Tracking #: M2-02-1117-01
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 proposed 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 ___ physician reviewer who is board certified in neurology which is the same specialty as the treating physician. The ___ physician reviewer 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

This 60 year old male sustained a work related injury on ___ when he was hit in the left arm by a door that was blown open by the wind. The patient twisted backwards and developed left neck and arm pain as well as left arm weakness. An examination revealed left triceps weakness and a decreased left triceps reflex. An earlier cervical MRI failed to reveal a disc focal abnormality, but did reveal diffuse degenerative changes.

Requested Service(s)

Repeat cervical MRI

Decision

It is determined that a repeat cervical MRI is not medically necessary to treat this patient's condition.

Rationale/Basis for Decision

The medical record documentation indicates that the patient was experiencing weakness in the left triceps and left C-7 level of the spine. This indicates that the patient had a C-7 compromise. Although a repeat MRI could reveal abnormalities related to the wear and tear of every day life heretofore not appreciated, it would not alter the patient's treatment plan since a problem at C-7 level has already been established. Therefore, a repeat MRI is not medically indicated.

This decision by the IRO is deemed to be a TWCC decision and order.

YOUR RIGHT TO REQUEST A HEARING

Either party to this medical dispute may disagree with all or part of the 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 **10** (10) days of your receipt of this decision (20 Tex. Admin. Code 142.5 (c)).

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 **20** (twenty) days of your receipt of this decision (28 Tex. Admin Code 148.3).

This Decision is deemed received by you 5 (five) days after it was mailed (28 Tex. Admin Code 102.4(h) or 102.5(d)). A request for hearing should be sent to: Chief Clerk of Proceedings, Texas Workers' Compensation Commission, P.O. Box 40669, Austin, Texas, 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 (Commission Rule 133.308 (t)(2)).

Sincerely,