

THIS DECISION HAS BEEN APPEALED. THE FOLLOWING IS THE RELATED SOAH DECISION NUMBER:

SOAH DOCKET NO. 453-03-2033.M2

December 20, 2002

Re: Medical Dispute Resolution
MDR #: M2-03-0317-01
IRO Certificate No.: IRO 5055

Dear:

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 Orthopedic Surgery.

I am ___ 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 case 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.

Clinical History:

This 58-year-old female claimant suffered an on-the-job injury on ___, resulting in subsequent pain to her lower back, both lower extremities, and her right shoulder and arm. Treatment included:

- medications for pain, anxiety, depression, and sleep,
- physical therapy,
- acupuncture,
- injections of pain trigger points, S-I joint, lumbar facet joints, nerve roots/epidural steroid injections, and right shoulder injection.

Only temporary relief was achieved with each series of injections, the first on 01/30/02, and the second a month later on 02/27/02.

Disputed Services:

Transforaminal lumbar ESI, TPI X 4 under fluoroscopy w/epidurography.

Decision:

The reviewer agrees with the determination of the insurance carrier. The reviewer is of the opinion that the treatment in question is not medically necessary in this case.

Rationale for Decision:

This patient's treatment has extended over a period of ten years, without lasting relief, but without worsening of symptoms, and with no evidence of a progressive neurological deficit. Anterior cervical discectomy and fusion, C4-C5, in June 2002 has not completely relieved the right upper extremity complaint.

Pain management modalities other than epidural steroid injections have been at least as effective. There is no reason presented to suggest that additional epidural steroid injections would be beneficial.

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
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 December 20, 2002.

Sincerely,