

May 6, 2003

Re: MDR #: M2-03-0354-01
IRO Certificate No.: 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 Certified in Chiropractic Medicine.

Clinical History:

This male claimant injured his right hand and wrist in a work-related injury on ____. No information was provided concerning the injury; however, he was, apparently, treated for numbness, tingling and swelling in the right hand and wrist. Treatment consisted of wrist immobilization, physical therapy, surgery, chiropractic care and a BMR NT 200 neuromuscular stimulator.

Disputed Services:

BMR NT 2000 neuromuscular stimulator.

Decision:

The reviewer agrees with the determination of the insurance carrier. The reviewer is of the opinion that the BMR NT 2000 neuromuscular stimulator is not medically necessary in this case.

Rationale for Decision:

Currently, the National Institute of Health lists neuromuscular stimulators as investigative use only for certain conditions, which do not include hand and wrist pain, swelling or tingling.

The National Institute of Neurological Disorders and Strokes also lists neuromuscular stimulators as investigative use only for certain conditions, which do not include wrist pain, swelling or tingling.

Medicare recently, as of April 1, 2003, listed neuromuscular stimulators as acceptable treatment for muscle atrophy and for use for walking patients with spinal cord injury only.

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
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 May 6, 2003.

Sincerely,