

May 9, 2003

Re: MDR #: M2-03-0832
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 Board Certified in Anesthesia, specializing in Pain Management.

Clinical History:

This 44-year-old male claimant suffered a work-related injury to his neck and back on _____. He was followed for a C-7 radiculopathy. A left ulnar neuropathy was also identified in 1999. CT and MRI demonstrated no nerve root compression, but small disc protrusions are noted on myelogram.

He presented in February 2003, with numbness and tingling of the left fourth and fifth fingers. Tinel's sign is positive over the left ulnar groove. The patient complains of left arm pain as well. He has been treated with Ultram and Robaxin.

Disputed Services:

EMG/NCV of the left arm.

Decision:

The reviewer disagrees with the determination of the insurance carrier. The reviewer is of the opinion that EMG/NCV of the left arm are medically necessary in this case.

Rationale for Decision:

By clinical findings, this patient clearly has a peripheral ulnar neuropathy. Nevertheless, his previous history of cervical radiculopathy complicates the diagnosis. The previous diagnosis of ulnar neuropathy and EMG findings in 1999 need to be distinguished from the present constellation.

EMG is indicated to establish a baseline for the present neuropathy and to define any changes from the previous EMG. The contribution of the previous radiculopathy should be ruled out. While conservative therapy and avoidance of surgery is the present desired course, this may change. The baseline study may be of value if the patient's neuropathy clinically advances and surgery is ultimately considered.

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 9, 2003.

Sincerely,