

## NOTICE OF INDEPENDENT REVIEW DECISION

August 1, 2003

RE: MDR Tracking #: M2-03-1467-01  
IRO Certificate #: IRO4326

\_\_\_ 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 neurosurgery 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 patient sustained an injury to her cervical spine on \_\_\_ while she was struck on the back of her neck by a mentally challenged client. She reported severe mechanical neck pain with bilateral radiating shoulder and arm pain. She has had physical therapy, analgesics, and under went two cervical epidural steroid injections with some benefit. The CT scan post myelogram dated 03/04/03 revealed disc bulging at C5-6 and C6-7 with encroachment on the dural sac.

### Requested Service(s)

Anterior cervical discectomy with fusion and plating at C5-6 and C6-7

### Decision

It is determined that the proposed anterior cervical discectomy with fusion and plating at C5-6 and C6-7 was medically necessary to treat this patient's condition.

### Rationale/Basis for Decision

This patient manifested symptoms consistent with the disc abnormalities seen at C5-6 and C6-7 on the MRI and has not responded to greater than one year of conservative care. Therefore, it is determined that the proposed anterior cervical discectomy with fusion and plating at C5-6 and C6-7 was medically necessary.

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,

In accordance with Commission Rule 102.4 (h), 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 this 1 <sup>st</sup> day of August 2003.
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