

MDR Tracking Number: M2-03-1572-01
IRO Certificate# 5259

August 20, 2003

An independent review of the above-referenced case has been completed by a medical physician [board certified] in physical medicine and rehabilitation. The appropriateness of setting and medical necessity of proposed or rendered services is determined by the application of medical screening criteria published by ____, or by the application of medical screening criteria and protocols formally established by practicing physicians. All available clinical information, the medical necessity guidelines and the special circumstances of said case was considered in making the determination.

The independent review determination and reasons for the determination, including the clinical basis for the determination, is as follows:

See Attached Physician Determination

___ hereby certifies that the reviewing physician is on Texas Workers' Compensation Commission Approved Doctor List (ADL). Additionally, said physician has certified that no known conflicts of interest exist between him and any of the treating physicians or providers or any of the physicians or providers who reviewed the case for determination prior to referral to ___.

CLINICAL HISTORY

The records indicate that this individual had an on-the-job injury, resulting in severe low back pain with advanced degenerative disc disease. She was seen by a neurosurgeon, ____, who wanted to maximize conservative care with chronic pain management, which ultimately did not improve her pain. Therefore, he is considering neurosurgical evaluation and possible fusion versus IDET, and requests discogram to determine if the pain is discogenically mediated.

REQUESTED SERVICE (S)

Medical necessity of lumbar discogram and post-discogram CT

DECISION

Approve lumbar discogram and post-discogram CT.

RATIONALE/BASIS FOR DECISION

Based on the facts of this case, this is an individual with acute lumbosacral strain injury on top of a pre-existing degenerative spine disease. She has been through extensive workup and evaluation, and received multiple conservative treatments and diagnostic injections, all of which have failed to reduce her pain.

It is a reasonable and appropriate next step to evaluate the discs as the cause and source of her pain, and a discogram is the appropriate test to determine if in fact there is discogenic pain, and to determine which levels may be appropriate for fusion and/or IDET procedure. She has had previous evidence of severe bulges at L4-5, narrowing of the canal to 9mm. Therefore, based on the spine treatment guidelines of the NASS, the discograms are medically reasonable and appropriate at this time.

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** (ten) calendar days of your receipt of this decision (20 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 **20** (twenty) calendar 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 or the date of fax (28 Tex. Admin. Code 102.4(h) or 102.5(d)). A request for a hearing and a **copy of this decision** must be sent to:

Chief Clerk of Proceedings/Appeals Clerk
Texas Workers' Compensation Commission
P.O. Box 17787
Austin, Texas 78744

Or fax the request to (512) 804-4011. A copy of this decision must be attached to the request.

The party appealing the decision shall deliver a copy of its written request for a hearing to the opposing party involved in the dispute.

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 21st day of August 2003.