



Texas Medical Foundation

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NOTICE OF INDEPENDENT REVIEW DECISION

September 24, 2004

Requestor

P.O. Box 872650
Vancouver, WA 98687-2650

Respondent

Texas Mutual Insurance Company
Attn: Ron Nesbitt
Fax #: 512-404-3980

RE: Injured Worker:
MDR Tracking #: M2-04-1870-01
IRO Certificate #: IRO4326

The Texas Medical Foundation (TMF) 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 TMF for independent review in accordance with TWCC Rule §133.308 which allows for medical dispute resolution by an IRO.

TMF 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 TMF physician reviewer who is board certified in pain management, by the American Board of Anesthesiology, licensed by the Texas State Board of Medical Examiners (TSBME) in 1989, and who provides health care to injured workers. This is the same specialty as the treating physician. The TMF 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 TMF 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 36 year-old male patient injured his left knee on 04/___/03 when he tripped and fell onto his knee. His diagnosis is listed as possible chronic regional pain syndrome and his treatment history includes a meniscectomy on 05/29/03, medications, lumbar sympathetic blocks, joint injection, and physical therapy. An RS4i sequential 4 channel combination interferential and muscle stimulator unit was ordered for this patient on 04/27/04.

Requested Service(s)

Purchase of an RS4i sequential 4 channel combination interferential and muscle stimulator unit

Decision

It is determined that the purchase of an RS4i sequential 4 channel combination interferential and muscle stimulator unit is not medically necessary to treat this patient's medical condition.

Rationale/Basis for Decision

The treatment for chronic neuropathic pain requires something that can over-ride the pain according to the "gate control theory" of pain relief. None of the records presented indicate whether a trial of the RS4i stimulator unit has been successful in relieving the patient's symptoms. Therefore, an RS4i sequential 4 channel combination interferential and muscle stimulator unit is not medically necessary to treat this patient's medical condition.

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** (ten) calendar days of your receipt of this decision (28 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) calendar days of your receipt of this decision (28 Tex. Admin. Code 142.5(c)).

This decision is deemed received by you 5 (five) days after it was mailed or the date of fax (28 Tex. Admin. Code 102.5(d)). A request for 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, Fax: 512-804-4011.

The party appealing this decision shall deliver a copy of its written request for a hearing to all other parties involved in this dispute.

Sincerely,

Gordon B. Strom, Jr., MD
Director of Medical Assessment

GBS:vn

cc: Program Administrator, Medical Review Division, TWCC

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 24th day of September, 2004.

Signature of IRO Employee:

Printed Name of IRO Employee: