

October 13, 2003

Re: Medical Dispute Resolution  
MDR #: M2-04-0066-01  
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 Board Certified in Anesthesiology and Pain Management.

**Clinical History:**

The claimant was allegedly injured on \_\_\_, spraining his left knee. On 06/19/03 a partial medial meniscectomy by arthroscopic surgery was performed. The claimant has had the use of an RS4i interferential muscle stimulator from 05/23/03 through 08/31/03. He had follow-up visits on 06/26/03 and 07/18/03 at which time "slight" improvement" in the left knee was documented, with ongoing pain and essentially complete range of motion.

**Disputed Services:**

Purchase of Interferential Muscle Stimulator.

**Decision:**

The reviewer agrees with the determination of the insurance carrier. The proposed purchase of Interferential Muscle Stimulator is not medically necessary in this case.

**Rationale:**

There are no peer-reviewed scientific studies demonstrating either short-term or long-term efficacy of this device for treatment of this claimant's clinical condition. Passive muscle stimulator devices have not been shown to have equal or superior efficacy to the performance of active exercise which appears to be appropriate treatment for this claimant's condition. The most recent physical examination documented full range of motion of the left knee, which would indicate that there is no need for a passive muscle stimulator device, especially one for which there is no scientific basis to justify its use.

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 October 13, 2003.

Sincerely,