

October 28, 2003

Re: MDR #: M2-04-0199-01
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 Orthopedic Surgery.

Clinical History:

This male claimant sustained an on-the-job injury with a hip fracture and underwent pinning. He developed avascular necrosis and is now requiring a total hip arthroplasty. This is a known potential complication of a hip fracture and is directly related to his injury. This procedure has been approved by the insurance carrier.

Disputed Services:

A five-day hospital stay post hip replacement surgery.

Decision:

The reviewer partially agrees with the determination of the insurance carrier and is of the opinion that a four-day hospital stay post hip replacement surgery is medically necessary in this case.

Rationale:

A total hip replacement is medically necessary and has been approved. Discharge post surgery depends on the patient's progress. Many young patients such as this individual are able to be discharged at four days post-op, which is reasonable. Some occasionally even go at three days. However, some progress more slowly and can require five days to recover prior to discharge. This is a clinical decision made by the treating physician.

It is appropriate to anticipate a four-day hospital stay with the understanding that more days may be necessary. It is uncertain whether this patient will be going to rehabilitation or going directly home. If the patient goes into a rehabilitative facility, in general, they can go much earlier, frequently by three days post-operatively, to continue. It is reasonable to expect that the patient be discharge by the fourth day following surgery.

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 28, 2003

Sincerely,