

NOTICE OF INDEPENDENT REVIEW DETERMINATION

MDR Tracking Number: M2-04-0876-01

March 23, 2004
IRO Certificate# 5259

An independent review of the above-referenced case has been completed by a medical physician board certified in neurosurgery. 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

___ was an employee of ___ in ___ when she injured her low back. She was lifting boxes at that point and developed significant low back pain. Since then she has been treated in a non-surgical fashion with physical therapy. She has also had pain management therapy and physical reconditioning. She did not improve and in 1999 she had a CT myelogram which apparently has been reported as being normal. However, in reviewing the actual report, there does appear to be extravasation of dye at L3. She has not been felt to be a surgical candidate up until this date. She continues to have significant low back pain and is seeking new forms of treatment.

REQUESTED SERVICE (S)

CT discogram

DECISION

It is appropriate for this patient to receive a CT discogram at this point.

RATIONALE/BASIS FOR DECISION

This woman has been through multimodality conservative management without substantial improvement in her back pain. The previous reviewer states that her imaging studies have been normal to date. That is, in fact, not the case as her 1999 discogram was indeed abnormal. Further, the previous reviewer states that discography has not been shown to be efficacious before in degenerative disc disease.

According to the textbook *Surgical Management of Low Back Pain*, edited by Regis Haid and Ed Benzel and the North American Spine Society's recommendation, discography and its usage is appropriate. This situation fits quite clearly within those guidelines.

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 24th day of March 2004.