

May 24, 2004

Re: MDR #: M2-04-1243-01  
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.

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.

Information and medical records pertinent to this medical dispute were requested from the Requestor and every named provider of care, as well as from the Respondent. 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 Pain Management and is currently listed on the TWCC Approved Doctor List.

### **REVIEWER'S REPORT**

#### **Information Provided for Review:**

TWCC-60, Table of Disputed Services, EOB's  
Letters of denial, office notes (09/02/03 – 03/09/04, nerve conduction study (05/27/03) and MRI 05/09/03.

#### **Clinical History:**

This is a case of a 43-year-old male with a work injury dating back to \_\_\_ resulting in a radiculopathy in the left L5 region.

#### **Disputed Services:**

Cardal epidural steroid injections X3 with hypertonic saline and mylase

#### **Decision:**

The reviewer agrees with the determination of the insurance carrier and is of the opinion that the treatment in dispute as stated above is not medically necessary in this case.

#### **Rationale:**

While this case is not truly a simple caudal epidural steroid injection, and is an epidural lysis of adhesions request, the reviewer does agree with the insurance carrier with this case. This decision is based on the fact that the patient's EMG and nerve conduction studies have actually improved and there is no objective evidence of epidural adhesions that I can see in the records I have.

It stated in the notes that the patient has had an increase in his weight and seems more depressed, and this in itself could be reason enough for the patient to have an increase in his pain. The fact that he has had previous caudal epidural steroid injections without significant long-term benefit is probably not a factor in the particular case.

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, MS-48  
7551 Metro Center Dr., Ste. 100  
Austin, TX 78744-1609

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 May 24, 2004.