

Envoy Medical Systems, LP
1726 Cricket Hollow
Austin, Texas 78758
Fax 512/491-5145

IRO Certificate #4599

NOTICE OF INDEPENDENT REVIEW DECISION

February 7, 2005

Re: IRO Case # M2-05-0634

Texas Worker's Compensation Commission:

Envoy Medical Systems, LP (Envoy) has been certified as an independent review organization (IRO) and has been authorized to perform independent reviews of medical necessity for the Texas Worker's Compensation Commission (TWCC). Texas HB. 2600, Rule 133.308 effective January 1, 2002, allows a claimant or provider who has received an adverse medical necessity determination from a carrier's internal process, to request an independent review by an IRO.

In accordance with the requirement that TWCC assign cases to certified IROs, TWCC assigned this case to Envoy for an independent review. Envoy has performed an independent review of the proposed care to determine if the adverse determination was appropriate. For that purpose, Envoy received relevant medical records, any documents obtained from parties in making the adverse determination, and any other documents and/or written information submitted in support of the appeal.

The case was reviewed by a physician who is Board Certified in Orthopedic Surgery, and who has met the requirements for the TWCC Approved Doctor List or who has been granted an exception from the ADL. He or she has signed a certification statement attesting 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 referral to Envoy for independent review. In addition, the certification statement further attests that the review was performed without bias for or against the carrier, medical provider, or any other party to this case.

The determination of the Envoy reviewer who reviewed this case, based on the medical records provided, is as follows:

Medical Information Reviewed

1. Table of disputed services
2. Denial letters
3. New patient H7P 10/6/04 Dr. Stran
4. Orthopedic notes, Dr. Randall
5. MRI left ankle report 3/25/02

History

The patient was 31-years old when he twisted his ankle in _____. He was treated for a left ankle sprain with a bruised talus. He was placed at MMI in 2003, but the patient's ankle pain persisted. The patient received a steroid injection in the ankle on 5/23/03 and became relatively asymptomatic. The patient contacted his orthopedic surgeon on 8/24/04 with a complaint of left ankle pain. The patient was seen by the orthopedic surgeon on 8/25/04, and because of persistent pain, a repeat/follow up MRI was recommended.

Requested Service(s)

MRI lt ankle

Decision

I disagree with the carrier's decision to deny the requested MRI.

Rationale

The patient has had persistent ankle pain two years after a talar dome injury that was documented on MRI. It is reasonable to obtain a repeat/follow up MRI because the patient is still symptomatic, and his talar dome bruise may now be an osteochondral fracture, or something that may be amenable to arthroscopic debridement. A repeat MRI is indicated based on the patient's history of ankle pain and previously documented talar dome lesion.

This medical necessity decision by an Independent Review Organization is deemed to be a Commission decision and order.

YOUR RIGHT TO REQUEST A HEARING

Either party to 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 a hearing and a **copy of this decision** must be sent to:

Chief Clerk of Proceedings / Appeals Clerk
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 other party involved in this dispute.

Sincerely,

Daniel Y. Chin, for GP

In accordance with Commission Rule 102.4 (b), I hereby certify that a copy of this Independent Review Organization (IRO) decision was sent to the carrier and the requestor or claimant via facsimile or US Postal Service from the office of the IRO on this 11th day of February 2005.

Signature of IRO Representative:

Printed Name of IRO Representative: Alice McCutcheon

Requestor: Dr. Donald C. Stran, Attn Rachel, Fx 281-480-6529

Respondent: Zurich, Attn Katie Foster, Fx 867-1733

Texas Workers Compensation Commission Fx 804-4871 Attn: