



Specialty Independent Review Organization, Inc.

February 18, 2005

Hilda Baker
TWCC Medical Dispute Resolution
7551 Metro Center Suite 100
Austin, TX 78744

Patient:
TWCC #:
MDR Tracking #: M2-05-0707-01
IRO #: 5284

Specialty IRO has been certified by the Texas Department of Insurance as an Independent Review Organization. The Texas Worker's Compensation Commission has assigned this case to Specialty IRO for independent review in accordance with TWCC Rule 133.308 which allows for medical dispute resolution by an IRO.

Specialty IRO has performed an independent review of the proposed care to determine if the adverse determination was appropriate. In performing this review, all relevant medical records and documentation utilized to make the adverse determination, along with any documentation and written information submitted, was reviewed.

This case was reviewed by a licensed Medical Doctor who is board certified in Anesthesia and Pain Management. The reviewer is on the TWCC ADL. The Specialty IRO health care professional has signed a certification statement stating that no known conflicts of interest exist between the reviewer and any of the treating doctors or providers or any of the doctors or providers who reviewed the case for a determination prior to the referral to Specialty IRO for independent review. In addition, the reviewer has certified that the review was performed without bias for or against any party to the dispute.

CLINICAL HISTORY

This 35 year old woman with a history of a fall injuring her lower back. She has had plain x-rays of the lumbar spine as well as MRI's, she has had a course of physical therapy and six individual sessions of a multi-disciplinary pain management as well as 2 sessions of medication management.

DOCUMENTATION REVIEWED

Records from the doctor/facility: workman's compensation initial evaluation report, South Texas Neurological Center report, clinical notes, EMG-R Mireles, MRI reports, Rio Grande Valley Orthopedic Center Consultation, Orthopedic Rehabilitation Institute-McAllen, TX, records of ME Van Hal, daily PT records 4/10/03-9/29/04, letter of medical dispute-advanced wellness

institute, review of LM Nahmias, CBMCS-TX Outpatient Reconsideration Decision 12/17/04, preauthorization report, appeal for services, treatment plan and goals (multiple sessions), progress notes-Advanced Wellness Institute, Lone Star Rehab report including FCE.

Records from the carrier: letter from FOL, letter from ME Van Hal, letter from LM Nahmias.

REQUESTED SERVICE

The requested service is a 30 visit chronic pain management program.

DECISION

The reviewer disagrees with the previous adverse determination.

BASIS FOR THE DECISION

The reviewer states the decision is supported by Clinical Practice Guidelines for chronic non-malignant pain syndrome patients II: an evidence based approach. J Back Musculoskeletal Rehabilitation, 1999;13:47-58. "It is recommended... (the patient) have a trial acceptance and be monitored closely for the first two to five full treatment days. Their initial response, compliance, motivation and understanding of goals can be assessed. If they demonstrate compliance and signs of any initial progress during this trial period, they can continue in the full interdisciplinary treatment with continued review to completion."

Furthermore, Guzman et al (multidisciplinary bio-psycho-social rehabilitation for chronic low back pain (Cochrane review) In: The Cochrane Library, Issue 3, 2004. Chichester, UK: John Wiley & Sons, Ltd) concludes that intensive multidisciplinary bio-psycho-social rehabilitation with a functional restoration approach improves pain and function. Less intensive programs did not show improvements in clinically relevant outcomes.

Specialty IRO has performed an independent review solely to determine the medical necessity of the health services that are the subject of the review. Specialty IRO has made no determinations regarding benefits available under the injured employee's policy. Specialty IRO believes it has made a reasonable attempt to obtain all medical records for this review and afforded the requestor, respondent and treating doctor an opportunity to provide additional information in a convenient and timely manner.

As an officer of Specialty IRO, Inc, dba Specialty IRO, I certify that there is no known conflict between the reviewer, Specialty IRO and/or any officer/employee of the IRO with any person or entity that is a party to the dispute.

Sincerely,

Wendy Perelli, CEO

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.

In the case of prospective *spinal surgery* decision, a request for a hearing must be made in writing and it must be received by the TWCC Chief Clerk of Proceedings within **10** days of your receipt of this decision. (20 Tex. Admin. Code 142.5(c)).

In the case of other *prospective (preauthorization) medical necessity* disputes a request for a hearing must be in writing, and it must be received by the TWCC Chief Clerk of Proceedings within **20** (twenty) 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 (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 Worker’s Compensation Commission, P.O. Box 17787, Austin, TX 78744. The fax number is 512-804-4011. A copy of this decision should be attached to the request.

The party appealing this decision shall deliver a copy of its written request for a hearing to all other parties involved in the dispute, per TWCC rule 133.308(u)(2).

Sincerely,

Wendy Perelli, CEO

I hereby certify, in accordance with TWCC Rule 102.4 (h), that a copy of this Independent Review Organization decision was sent to the carrier, requestor, claimant (and/or the claimant’s representative) and the TWCC via facsimile, U.S. Postal Service or both on this 18th day of February, 2005

Signature of Specialty IRO Representative:

Name of Specialty IRO Representative: Wendy Perelli