



Texas Medical Foundation

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NOTICE OF INDEPENDENT REVIEW DECISION

April 19, 2005

Requestor

RS Medical
ATTN: Joe Basham
P.O. Box 872650
Vancouver, WA 98687-2650

Respondent

Texas Mutual Insurance Co.
ATTN: Ron Nesbitt
221 W. 6th Street, Ste 300
Austin, TX 78701

RE: Injured Worker:
MDR Tracking #: M2-05-1174-01
IRO Certificate #: IRO4326

The Texas Medical Foundation (TMF) has been certified by the Texas Department of Insurance (TDI) as an independent review organization (IRO). The Texas Workers' Compensation Commission (TWCC) has assigned the above referenced case to TMF for independent review in accordance with TWCC Rule §133.308 which allows for medical dispute resolution by an IRO.

TMF has performed an independent review of the proposed care to determine if the adverse determination was appropriate. In performing this review, relevant medical records, any documents utilized by the parties referenced above in making the adverse determination, and any documentation and written information submitted in support of the appeal was reviewed.

The independent review was performed by a TMF physician reviewer who is board certified in Physical Medicine & Rehab, by the American Board of Physical Medicine and Rehabilitation, Inc. licensed by the Texas State Board of Medical Examiners (TSBME) in 1981, and who provides health care to injured workers. This is the same specialty as the treating physician. The TMF physician reviewer has signed a certification statement stating 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 the referral to TMF for independent review. In addition, the reviewer has certified that the review was performed without bias for or against any party to this case.

Clinical History

This 49 year-old male injured his back on _____. He had been working 10 to 12 hour days lifting heavy boxes and developed severe low back pain and left leg pain. He has been treated with medications, therapy and the RS4i Sequential Stimulator 4-channel combination Interferential and Muscle Stimulator Unit.

Requested Service(s)

Proposed purchase of an RS4i Sequential Stimulator 4-channel combination Interferential and Muscle Stimulator Unit

Decision

It is determined that there is no medical necessity for the proposed purchase of an RS4i Sequential Stimulator 4-channel combination Interferential and Muscle Stimulator Unit (RS4i) to treat this patient's medical condition.

Rationale/Basis for Decision

Medical record documentation indicates the initial request for the RS4i was in December 2004. The patient reports subjective improvement with use of the device but there has been no reduction in pain medication. There is no documentation of improved physical function or significant benefit to this patient with use of the device. Therefore, the RS4i Sequential Stimulator 4-channel Combination Interferential and Muscle Stimulator Unit is not medically necessary to treat this patient's medical condition.

This decision by the IRO is deemed to be a TWCC decision and order.

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 (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 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, Fax: 512-804-4011.

The party appealing this decision shall deliver a copy of its written request for a hearing to all other parties involved in this dispute.

Sincerely,

Gordon B. Strom, Jr., MD
Director of Medical Assessment

GBS:dm

Attachment

cc: Injured Worker
Program Administrator, Medical Review Division, TWCC

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 19th day of April 2005.

Signature of IRO Employee:

Printed Name of IRO Employee: