



Texas Medical Foundation

Barton Oaks Plaza Two, Suite 200 • 901 Mopac Expressway South • Austin, Texas 78746-5799
phone 512-329-6610 • fax 512-327-7159 • www.tmf.org

NOTICE OF INDEPENDENT REVIEW DECISION

July 12, 2005

Requestor

Respondent

American Home Assurance Company
c/o The Hartford
ATTN: Annette Moffett
Fax#: (512) 867-1733

RE: Injured Worker: _____
MDR Tracking #: M2-05-1662-01
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 Neurological Surgery, by the American Board of Neurological Surgery, Inc. licensed by the Texas State Board of Medical Examiners (TSBME) in 1986, 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 34 year-old female injured her low back, bilateral hips and legs on ____ when she slipped and fell. She has been treated with therapy and medications.

Requested Service(s)

Lumbar laminectomy with fusion and instrumentation L5-S1 length of stay 1 night and purchase of Thoraco-Lumbar Sacral Orthosis (TLSO) back brace

Decision

It is determined that there is medical necessity for the lumbar laminectomy with fusion and instrumentation L5-S1 with a length of stay 1 night and purchase of a Thoraco-Lumbar Sacral Orthosis (TLSO) back brace to treat this patient's medical condition.

Rationale/Basis for Decision

This patient has failed extensive and appropriate conservative care of over two years duration. Computed tomographic and magnetic resonance imaging shows a disc bulge and degeneration at L5-S1. The patient's symptoms of mechanical low back pain and radiculopathy correlate well with the radiographic findings. The surgery as proposed, is medically appropriate and necessary to treat this patient's medical condition. Therefore, the lumbar laminectomy with fusion and instrumentation L5-S1 length of stay 1 night and purchase of Thoraco-Lumbar Sacral Orthosis (TLSO) back brace is 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:
Attachment

cc: 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 12th day of July 2005.

Signature of IRO Employee:

Printed Name of IRO Employee: