



Specialty Independent Review Organization, Inc.

July 25, 2005

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

Patient:
TWCC #:
MDR Tracking #: M2-05-2052-01
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 with a specialty in Pain Management and Anesthesia. 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 44-year-old woman has a history of moving files at work, falling backwards and injuring her lower back. She has had MRIs of the lumbar spine, physical therapy, pool therapy, lumbar epidural steroid injections and resection of multiple disk resection and laminectomy. Her current medications are Fleceril and Phenergan.

Records Reviewed:

Records from Carrier: CorVel denial letters; Letter from Flahive, Ogden & Latson; Imaging reports; The San Antonio Orthopedic Group notes, Imaging Center notes, Operative notes; Positive Pain Management, Psychological Evaluation report; Abstract from TWCC form-69-Dr. Kuwamura 4-5-05; Physical therapy notes; Dr. Kuwamura notes; Operative reports for epidural steroid injections; Physical therapy and rehab concepts functional capacity evaluation initial (including documentation of Waddell's testing which is positive).

Records from Doctor/Facility: Letter from Flahive, Ogden & Latson; Letter from Positive Pain Management, Psychological evaluation report and individualized treatment plan, physical performance summary and evaluation; Correct Care Clinic initial Examination; the San Antonio Orthopedic Group Notes, Imaging Center notes.

REQUESTED SERVICE

The item in dispute is the prospective medical necessity of 20 sessions of a pain management program.

DECISION

The reviewer agrees with the previous adverse determination.

BASIS FOR THE DECISION

Guzman et al (Multidisciplinary bio-psycho-social rehabilitation fro 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 as measured by return to work rates. Less intensive therapy did not show improvements in clinically relevant outcomes.

Individualized treatment plan states under goal #6: "Patient ... has no intention or desire to go back to work or school." If she is not going to return to work, then work hardening therapy is not appropriate. The clinically relevant outcome measures include return to work as an end point.

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 28th day of July 2005

Signature of Specialty IRO Representative:

Name of Specialty IRO Representative: Wendy Perelli