

Parker Healthcare Management Organization, Inc.

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Certificate # 5301

December 28, 2005

ATTN: _____, Program Administrator
Texas Department of Insurance/Workers Compensation Division
7551 Metro Center Drive, Suite 100
Austin, TX 78744
Delivered by fax: 512.804.4868

Notice of Determination

MDR TRACKING NUMBER: M2-06-0363-01
RE: Independent review for _____

The independent review for the patient named above has been completed.

- Parker Healthcare Management received notification of independent review on 11.29.05.
- Faxed request for provider records made on 11.30.05.
- The case was assigned to a reviewer on 12.15.05.
- The reviewer rendered a determination on 12.28.05.
- The Notice of Determination was sent on 12.28.05.

The findings of the independent review are as follows:

Questions for Review

Medical necessity of 8 Botox chemodenervation injections with EMG guidance.

Determination

PHMO, Inc. has performed an independent review of the proposed care to determine if the adverse determination was appropriate. After review of all medical records received from both parties involved, the PHMO, Inc. physician reviewer has determined to **uphold the denial** on the requested service(s).

Summary of Clinical History

This individual has both lumbar and cervical myofascial pain. He has received Botox injections with limited improvement, generally lasting for less than 3 months. He has similar results with regular trigger point injections in the past. The request is for EMG guidance of trigger point, although no EMG guidance was utilized for trigger point injections without Botox.

Clinical Rationale

The requested procedure is still an investigational procedure using Botox chemodenervation for myofascial pain control. Botox was initially popularized in treating spasticity using needle guidance with EMG to determine the spastic muscles to be injected.

1. There is no such research to show that trigger point require needle EMG guidance as it has been noted that trigger points are EMG silent.
2. Treatment of lumbar myofascial trigger points of Botox first would not require EMG guidance as the patient has been treated successfully with routine trigger point injections without EMG guidance.
3. There is no indication that the Botox is providing longer term relief or resulting in diminished use of other resources as this individual continues to receive repeated standard trigger point injections as well as Botox injections and medications.
4. For these reasons, this is not felt to be a medically indicated procedure that shows long-term benefits nor does it appear to be requested in the fashion that would be consistent with standard of care with no real indication for EMG guidance for this procedure. There is no description of the previous procedure noted provided how EMG guidance improved or altered the administration of the medication.

In conclusion, this procedure is investigational at best and has not proven specifically better than the traditional treatments in this particular individual and the methodologies requested are not indicated or warranted.

Clinical Criteria, Utilization Guidelines or other material referenced

This conclusion is supported by the reviewers' clinical experience with over 10 years of patient care.

The reviewer for this case is a Medical Doctor licensed by the Texas State Board of Medical Examiners. The reviewer specializes in Physical medicine and Rehabilitation, and is engaged in the full time practice of medicine.

The review was performed in accordance with Texas Insurance Code 21.58C and the rules of Texas Department of Insurance /Division of Workers' Compensation. In accordance with the act and the rules, the review is listed on the DWC's list of approved providers or has a temporary exemption. The review includes the determination and the clinical rationale to support the determination. Specific utilization review criteria or other treatment guidelines used in this review are referenced.

The reviewer signed a certification attesting that no known conflicts-of-interest exist between the reviewer and the treating and/or referring provider, the injured employee, the injured employee's employer, the injured employee's insurance carrier, the utilization review agent, or any of the treating doctors or insurance carrier health care providers who reviewed the case for decision before referral to the IRO. The reviewer also attests that the review was performed without any bias for or against the patient, carrier, or other parties associated with this case.

Your Right To Appeal

If you are unhappy with all or part of this decision, you have the right to appeal the decision. The decision of the Independent Review Organization is binding during the appeal process.

If you are disputing the decision (other than a spinal surgery prospective decision), the appeal must be made directly to a district court in Travis County (see Texas Labor Code §413.031). An appeal to District Court must be filed not later than 30 days after the date on which the decision that is the subject of the appeal is final and appealable.

If you are disputing a spinal surgery prospective decision, a request for a hearing must be in writing and it must be received by the Division of Workers' Compensation, Chief Clerk of Proceedings, within ten (10) days of your receipt of this decision. The address for the Chief Clerk of Proceedings would be: P.O. Box 17787, Austin, Texas, 78744.

I hereby verify that a copy of this Findings and Decision was faxed to the Texas Department of Insurance /Division of Workers Compensation, the requestor (if different from the patient) and the respondent. I hereby verify that a copy of this Findings and Decision was mailed to the injured worker (the requestor) applicable to Commission Rule 102.5 this 28th day of December, 2005.

Meredith Thomas
Administrator
Parker Healthcare Management Organization, Inc.

CC:

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Target Corp c/o FOL
Attn: Katie Foster
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[Claimant]