

provider. Your case was reviewed by a physician who is board certified in Orthopedic Surgery and is currently listed on the DWC Approved Doctor List.

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 the district court in Travis County (see Texas Labor Code 414.031). An appeal to District Court must be filed not later than thirty (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.

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 US Postal Service from this IRO office on January 17, 2006.

Sincerely,

General Counsel

REVIEWER'S REPORT M2-06-0422-01

Information Provided for Review:

DWC-60, Table of Disputed Services, EOBs

From Requestor:

Office notes 06/22/05 – 11/07/05

Radiology 07/28/05

From Respondent:

Correspondence

Designated Review

Chiropractor:

Office notes/PT notes 02/15/05 – 11/17/05

FCE 10/05/04 – 09/19/05

Radiology 10/28/04 – 03/04/05

Family Practice:

Office notes 03/23/05 – 12/05/05

Clinical History:

The patient is an approximately 43-year-old gentleman who injured his back when he slipped and fell on a wet floor in _____. The patient has had persistent back pain for which a discogram was requested.

Disputed Services:

Lumbar discogram at L3/L4, L4/L5 and L5/S1.

Decision:

The reviewer agrees with the determination of the insurance carrier and is of the opinion the treatment in dispute as stated above is not medically necessary in this case.

Rationale:

I have a report of a myelogram and CT scan done on the patient's lumbar spine on July 28, 2005. In reading through that study, there is evidence of arthrosis at all image levels in the lumbar spine. With evidence of arthritis at all levels of the lumbar spine, I see no clinical benefit to obtaining a discogram.