

MEDICAL REVIEW OF TEXAS

[IRO #5259]

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NOTICE OF INDEPENDENT REVIEW DETERMINATION

TDI-WC Case Number:	
MDR Tracking Number:	M2-06-0476-01
Name of Patient:	
Name of URA/Payer:	Texas Mutual Insurance Company
Name of Provider:	Buena Vista Workskills
<small>(ER, Hospital, or Other Facility)</small>	
Name of Physician:	Rita Sealy, DC
<small>(Treating or Requesting)</small>	

January 27, 2006

An independent review of the above-referenced case has been completed by a chiropractic doctor. The appropriateness of setting and medical necessity of proposed or rendered services is determined by the application of medical screening criteria published by Texas Medical Foundation, or by the application of medical screening criteria and protocols formally established by practicing physicians. All available clinical information, the medical necessity guidelines and the special circumstances of said case was considered in making the determination.

The independent review determination and reasons for the determination, including the clinical basis for the determination, is as follows:

See Attached Physician Determination

Medical Review of Texas (MRT) hereby certifies that the reviewing physician is on the Division of Workers' Compensation Approved Doctor List (ADL). Additionally, said physician has certified that no known conflicts of interest exist between him and any of the treating physicians or providers or any of the physicians or providers who reviewed the case for determination prior to referral to MRT.

Sincerely,

Michael S. Lifshen, MD
Medical Director

cc: Buena Vista Workskills
Rita Sealy, DC
Division of Workers' Compensation

DOCUMENTS REVIEWED

Notification of IRO assignment
Buena Vista Preauthorization/Initial Denial
Buena Vista-request for behavioral health treatment-10/06/05
Individual Psychotherapy Plan & Goals of treatment-10/06/05
Texas Mental non-authorization for requested services-10/11/06
Buena Vista reconsideration request-10/26/05
Referral for behavioral medicine consultation-Dr. Rita Sealy-Wirt
Buena Vista clinical notes
Buena Vista Functional Behavioral Medicine consultation
Pain & Neuromuscular Clinic of Texas progress notes
MRI-Shoulder
Texas Mutual dispute statement

CLINICAL HISTORY

This 60 year old female was injured in a work related accident on _____. She landed on her right side with significant injury to her neck and shoulder. She first sought treatment on 6/25/04. She participated in physical therapy and continued to work until January 2005, when her employment was terminated. On 7/12/05, Dr. Sealy-Wirt referred her for behavioral medicine consultation secondary to symptoms of depression, anxiety and a sleep disturbance, all secondary to the accident. This patient had no prior mental health history. The patient was evaluated on 6/2/05 by Elizabeth Keller, RN, and Phil Bohart, MS, CRC, LPC. She was diagnosed with Major Depression (severe) and Pain Disorder associated with psychological and medical factors. She was referred for a psychotropic medication consultation, individual counseling and biofeedback.

This patient reported severe neurovegetative symptoms of depression including middle insomnia, and decreased appetite, energy, motivation, memory and concentration. She also had anhedonia, anxiety, increased crying, panic and hopelessness. The patient had been given a low dose of Lexapro and physical therapy.

REQUESTED SERVICE(S)

Preauthorization request: Individual psychotherapy once weekly for six weeks.

DECISION

Approved

RATIONALE/BASIS FOR DECISION

This patient should have the ability to have a more intensive and thorough attempt at behavioral treatments including medication, therapy, and biofeedback. She was never given a proper psychotropic medication consultation, with severe depression, subtherapeutic dosage of an SSRI and possibly the wrong medication, a psychiatrist is mandatory as part of her evaluation. Recent clinical trials and research have shown SNRI's to be better for depression and anxiety associated with pain. Medication and therapy are the treatment of choice for major depression according to the standard psychiatric literature. Biofeedback has also been shown to be effective with these types of patients.

Certification of Independence of Reviewer

As the reviewer of this independent review case, I do hereby certify that I have no known conflicts of interest between the provider and 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.

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.

Chief Clerk of Proceedings
Division of Workers' Compensation
P.O. Box 17787
Austin, Texas 78744

Or fax the request to (512) 804-4011. A copy of this decision must be attached to the request.

The party appealing the decision shall deliver a copy of its written request for a hearing to the opposing party involved in the dispute.

In accordance with 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 1st day of February 2006.

Signature of IRO Employee: _____

Printed Name of IRO Employee: Marc Salvato