

Envoy Medical Systems, LP
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IRO Certificate #4599

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NOTICE OF INDEPENDENT REVIEW DECISION

February 11, 2006

Re: IRO Case # M2-06-0563 -01

Texas Department of Insurance, Division of Workers' Compensation:

Envoy Medical Systems, LP (Envoy) has been certified as an independent review organization (IRO) by the Texas Department of Insurance and has been authorized to perform independent reviews of medical necessity for Division of Workers' Compensation cases. Texas HB. 2600, Rule 133.308 effective January 1, 2002, allows a claimant or provider who has received an adverse medical necessity determination from a carrier's internal process, to request an independent review by an IRO.

In accordance with the requirement that the Division of Workers' Compensation assign cases to certified IROs, this case was assigned to Envoy for an independent review. Envoy has performed an independent review of the proposed care to determine if the adverse determination was appropriate. For that purpose, Envoy received relevant medical records, any documents obtained from parties in making the adverse determination, and any other documents and/or written information submitted in support of the appeal.

The case was reviewed by a physician who is Board Certified in Neurological Surgery, and who has met the requirements for the Division of Workers' Compensation Approved Doctor List or who has been granted an exception from the ADL. He or she has signed a certification statement attesting that no known conflicts of interest exist between him or her and the injured employee, the injured employee's employer, the injured employee's insurance carrier, the utilization review agent, any of the treating physicians or providers, or any of the physicians or providers who reviewed the case for a determination prior to referral to Envoy for independent review. In addition, the certification statement further attests that the review was performed without bias for or against the carrier, medical provider, or any other party to this case.

The determination of the Envoy reviewer who reviewed this case, based on the medical records provided, is as follows:

Medical Information Reviewed

1. Table of disputed services
2. Denial letters

3. Lumbar MRI report 5/13/04
4. Operative report of injection 1/10/06, other reports, Dr. Urrea
5. Chiropractic notes with PPE, Dr. Aguayo

History

The patient is a 41-year-old male who in ___ fell backward while climbing into an 18-wheel truck, and landed flat on his back. He developed back pain at that time, and his pain has persisted despite injections and chiropractic treatment. The exact status of the patient's discomfort at this time is unknown, as the date of the last report provided is 1/10/06, the date on which a sacroiliac injection was performed, and the results of that injection were not given. An MRI of the lumbar spine shows probable right L5-S1 disk rupture, with S1 nerve root compression. Straight leg raising is positive on the right, Patrick's sign is positive on the right, and there is tenderness at the sacroiliac joint on the right side. It appears from the records provided that two potential problems are present: one in the sacroiliac, and one in the lumbar disk at L5-S1.

Requested Service(s)

Sacroiliac joint injection.

Decision

I disagree with the decision to deny the requested injection.

Rationale

While lumbar disk disease very likely contributes to the patient's symptoms, the patient's examination, including tenderness and Patrick's sign, suggest sacroiliac joint pathology as enough of a source of the patient's discomfort for him to receive a sacroiliac injection in hope of relieving that problem. It may also help diagnostically, with the disk disease being a more likely source of his trouble if the injection is not at least transiently helpful.

This medical necessity decision by an Independent Review Organization is deemed to be a Worker's Compensation decision and order.

YOUR RIGHT TO APPEAL

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

If you are disputing a decision other than a spinal surgery prospective decision, the appeal must be made directly to the district clerk in Travis County (see Texas Labor Code sec. 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.

Daniel Y. Chin, for GP

In accordance with Commission Rule 102.4 (b), I hereby certify that a copy of this Independent Review Organization (IRO) decision was sent to the carrier and the requestor or claimant via facsimile or US Postal Service from the office of the IRO on this day of February 2006.

Signature of IRO Representative:

Printed Name of IRO Representative: Alice McCutcheon

Requestor:

Respondent: Liberty mutual, Attn Carolyn Guard, Fx 574-258-5349

Texas Department of Insurance, Division of Workers' Compensation: Fx 804-4871 Attn: