

MEDICAL REVIEW OF TEXAS

[IRO #5259]

10817 W. Hwy. 71

Phone: 512-288-3300

Austin, Texas 78735

FAX: 512-288-3356

NOTICE OF INDEPENDENT REVIEW DETERMINATION

TDI-WC Case Number:	
MDR Tracking Number:	M2-06-0623-01
Name of Patient:	
Name of URA/Payer:	Transportation Insurance Company
Name of Provider: (ER, Hospital, or Other Facility)	
Name of Physician: (Treating or Requesting)	Joseph Viroslav, MD

February 13, 2006

An independent review of the above-referenced case has been completed by a medical physician board certified in pediatrics. 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: Peter N. Rogers
Joseph Viroslav, MD
Division of Workers' Compensation

CLINICAL HISTORY

Records submitted for review included:

- Rogers, Booker & Trevino notes including correspondence from Michael Jouett, respiratory therapist; Joseph Vroslav, MD; Keith Tansey, MD; Susan Garstang, MD; Kathleen Houston, RN; Rochelle Govindasamy, RN; and
- Stone Loughlin & Swanson response correspondence; Concentra; JRTA Long Term Respiratory Care Rehab; Ahmed Khalifa, MD Required Medical Evaluation Home Visit; therapy notes; Maxim nursing flow sheets

___ is a 63-year-old male who is a C2-C3 spinal injury quadriplegic. He is ventilatory dependent and has been under the care of Joseph Viroslav, MD. His clinical course has been stable and improving. The need for ancillary health care has been declining.

REQUESTED SERVICE(S)

Pre-authorization denied for respiratory therapy.

DECISION

Denied.

RATIONALE/BASIS FOR DECISION

The requested services are with respect to frequency and need for continued respiratory care at home. Dr. Viroslav has decreased respiratory visits to once per week. The clinical progress notes have been reviewed by three specialists in Physical Medicine and Rehabilitation. It was their feeling that in-house respiratory therapy was not significantly adding anything and could be performed by the nursing staff who have been so trained.

This would be consistent with standard of care and is a conservative plan.

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 14th day of February 2006.

Signature of IRO Employee: _____
Printed Name of IRO Employee: Cindy Mitchell