

Envoy Medical Systems, LP
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IRO Certificate #4599

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NOTICE OF INDEPENDENT REVIEW DECISION

March 29, 2006

Re: IRO Case # M2-06-0851 -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 Anesthesiology and Pain Management, 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. Requestor's position regarding pre-authorization 3/1/06, Reconsideration request 1/11/06, Request for initial 10-day trial 12/19/05, P. Bohart
4. Initial behavioral medicine consultation 7/7/05 , E. Keller, P. Bohart
5. Chronic pain management treatment plan, Alta Vista Healthcare
6. Physical performance evaluations 10/10/05, 12/14/05
7. History and physical 9/28/05, E.Keller, Dr. Dutra
8. Operative reports 6/28/04, 2/10/04, 10/9/03
9. Electrodiagnostic report 7/25/03, 7/8/05, Dr. Dutra
10. Report 7/14/03, Dr. Amaguer
11. Medical records, Dr. Lyday
12. Consult notes 3/1/06, 1/?/06
13. Follow up consultation note 1/18/06, 12/21/05 Dr. Dutra
14. Initial evaluation 1/4/06, Dr. Dutra

History

The patient has had right arm pain since she was injured in ____ by a table that slipped and trapped her hand. Multiple surgeries have been performed. Psychotherapy and a 20-day pain management program have been completed, but little improvement has occurred. Extensive physical therapy has also been performed. Records indicate that surgery is pending.

Requested Service(s)

Chronic pain management x 10 additional days.

Decision

I agree with the carrier's decision to deny the additional pain management.

Rationale

The records provided for this review indicate that there is a significant component of anxiety and poor coping skills, which are barriers to improvement. Psychological therapy and a 20-day pain management program have not appreciably improved the patient's status. She is requiring extensive medications, including psychotropics. Based on this, it is not reasonable and necessary to continue a regimen that has little likelihood of success.

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 30th day of March 2006.

Signature of IRO Representative:

Printed Name of IRO Representative: Alice McCutcheon

Requestor: Alta Vista Healthcare/ Phil Bohart, Attn James Odom, Fx 214-692-6670

Respondent: Zurich American Ins/SRS, Attn Crystal Miglis, Fx 877-538-2248

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