

Parker Healthcare Management Organization, Inc.

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Certificate # 5301

May 10, 2006

ATTN: Program Administrator

Texas Department of Insurance/Workers Compensation Division

7551 Metro Center Drive, Suite 100

Austin, TX 78744

Delivered by fax: 512.804.4868

Notice of Determination

MDR TRACKING NUMBER: M2-06-1104-01
RE: Independent review for ____

The independent review for the patient named above has been completed.

- Parker Healthcare Management received notification of independent review on 4.10.06.
- Faxed request for provider records made on 4.10.06.
- The case was assigned to a reviewer on 4.26.06.
- The reviewer rendered a determination on 5.9.06.
- The Notice of Determination was sent on 5.10.06.

The findings of the independent review are as follows:

Questions for Review

Medical necessity of work hardening X 10 sessions

Determination

PHMO, Inc. has performed an independent review of the proposed care to determine if the adverse determination was appropriate. After review of all medical records received from both parties involved, the PHMO, Inc. physician reviewer has determined to **overturn the denial** on the requested service(s).

Summary of Clinical History

The claimant injured her lumbar spine as a result of lifting a box of chicken, which she claims weighed 60 pounds. Since the time of the injury, the claimant has had multiple doctors visits, conservative care and various diagnostics. The claimant has also received tertiary work hardening therapy which has provided a favorable clinical outcome in regards to overall vocational function.

Clinical Rationale

The patient has demonstrated favorable results thus far with tertiary care. As a result, she will likely continue to progress in a favorable fashion due to the fact that she still has room for improvement. The

patient has a PDL listed at heavy and she is inadequate in regards to being able to function at that level. She also has stamina issues that need to be addressed in regards to being able to function in the heavy PDL for any given length of time. Due to the fact that she has progressed and medical necessity for care has been established and she still is deficient in regards to function, the additional ten recommended sessions will likely be beneficial and help the claimant return to gainful employment.

Clinical Criteria, Utilization Guidelines or other material referenced

- *Occupational Medicine Practice Guidelines*, Second Edition.
- *The Medical Disability Advisor*, Presley Reed MD
- *A Doctors Guide to Record Keeping*, Utilization Management and Review, Gregg Fisher

The reviewer for this case is a doctor of chiropractic peer matched with the provider that rendered the care in dispute. The reviewer is engaged in the practice of chiropractic on a full-time basis.

The review was performed in accordance with Texas Insurance Code 21.58C and the rules of Texas Department of Insurance /Division of Workers' Compensation. In accordance with the act and the rules, the review is listed on the DWC's list of approved providers or has a temporary exemption. The review includes the determination and the clinical rationale to support the determination. Specific utilization review criteria or other treatment guidelines used in this review are referenced.

The reviewer signed a certification attesting that no known conflicts-of-interest exist between the reviewer and the treating and/or referring provider, 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. The reviewer also attests that the review was performed without any bias for or against the patient, carrier, or other parties associated with this case.

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. The address for the Chief Clerk of Proceedings would be: P.O. Box 17787, Austin, Texas, 78744.

I hereby verify that a copy of this Findings and Decision was faxed to the Texas Department of Insurance /Division of Workers Compensation, the requestor (if different from the patient) and the respondent. I hereby verify that a copy of this Findings and Decision was mailed to the injured worker (the requestor) applicable to Commission Rule 102.5 this 10th day of May, 2006.

Meredith Thomas
Administrator
Parker Healthcare Management Organization, Inc.

CC: Dean McMillian, M.D.
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Fax: 713.697.7111

American Home Assurance
Attn: Raina Robinson
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