

Envoy Medical Systems, LP
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IRO Certificate #4599

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NOTICE OF INDEPENDENT REVIEW DECISION

September 5, 2006

Re: IRO Case # M2-06-1824 –01 _____, amended Requested Services 10/19/06

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 Doctor of Chiropractic, who is licensed in Texas, 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. Forte review 7/7/05
4. Preauthorization request 7/5/06

5. Letter to IRO 8/14/06, Dr. Edwards
6. Request for reconsideration 5/18/06, Dr. Edwards
7. MMI/IR report 1/17/06, Dr. Stuart
8. Review 2/3/06, Dr. Obermiller
9. Letter of medical necessity 9/10/04, Dr. Edwards
10. Medical records, Dr. Edwards
11. MRI lumbar spine report 5/15/04
12. Report of injury 11/26/01

History

The patient injured her lower back in 2001 when she fell down stairs. She has been treated with chiropractic care. A 5/15/04 MRI suggested an L5-S1 left paracentral annular tear and disk extrusion.

Requested Service(s)

20 sessions spinal decompression therapy, initial passive therapy (ice & elect stim) followed by therapeutic exercises.

Decision

I disagree with the carrier's decision to deny the requested services.

Rationale

A trial of SDT and therapeutic exercises is medically appropriate for this patient. The patient responded favorably to the treating D.C.'s treatment prior to the disputed request. Based on this prior success from treatment and MRI results favoring SDT, the medical necessity of the treatment is established and offers the best opportunity to obtain relief and promote the patient's recovery. Spinal decompression is safe, effective, cost effective and medically appropriate for treatment of lumbar disk conditions. The D.C.'s documentation is sufficient to support his request. Inferential muscle stimulation aids with the healing of soft tissue, encouraging circulation and decreasing pain. Therapeutic exercises will strengthen the soft tissue, and will increase flexibility and range of motion, thus stabilizing the lumbar soft tissue and decreasing the chances of future exacerbations.

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 September 2006.

Signature of IRO Representative:

Printed Name of IRO Representative: Blocker

Requestor: Dr. Edwards, Fx 444-8283

Respondent: SORM, Attn Jennifer Dawson, Fx 370-9170

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