

# MEDICAL REVIEW OF TEXAS

[IRO #5259]

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## NOTICE OF INDEPENDENT REVIEW DETERMINATION

**REVISED 5/3/06**

TDI-WC Case Number:	
MDR Tracking Number:	M2-06-1065-01
Name of Patient:	_____
Name of URA/Payer:	
Name of Provider: (ER, Hospital, or Other Facility)	
Name of Physician: (Treating or Requesting)	David Azouz, MD

April 28, 2006

An independent review of the above-referenced case has been completed by a medical physician board certified in plastic surgery. 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.

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Sincerely,

Michael S. Lifshen, MD  
Medical Director

cc: David Azouz, MD  
Division of Workers' Compensation

CLINICAL HISTORY

Records Reviewed Included:

- Notification of IRO Assignment dated 04/3/06
- Report from Dr. William Abraham dated 02/20/06 (2 pages)
- Correspondence from Attorneys, Downs & Stanford, P.C. dated 04/10/06 (2 pages)
- Records from Dr. Glenn Smith dated 09/13/05 (2 pages)
- Records from Touchstone Imaging (2 pages)
- Records/Operative Report from Irving Coppel Surgical Hospital dated 09/16/05 (4 pages)
- Records from Care Now (8 pages)
- Rehab Records from HEALTHSOUTH dated 08 & 09/05 (20 pages)
- Records from (5 pages)

\_\_\_ is a 25-year old who sustained an injury from a box falling on her left wrist and subsequently was seen by Dr. Azouz. It was determined that she had a positive Finkelstein's test and an MRI. She also underwent her first dorsal compartment release. On 09/07/05, there had been some indication from Dr. Azouz, that she had positive Tinel's of the left wrist, with no indication of carpal tunnel, radial sensory branch or for the Guyon's canal. On 09/16/05, she had complete resolution of her de Quervain's syndrome and her first dorsal compartment of the left wrist. In contention, the patient history that was first noted in the report, there was a positive Tinel's sign. Postoperatively, it was noted on 10/20/05, that the paresthesias and night pain had not improved, despite the splinting. It is also noted on

10/20/05, that there was an indication of her having thenar atrophy. Subsequently, the EMG/NCS was performed and it indicated that she had median nerve compression with demyelinating PNP across her wrist otherwise normal ulnar and radial NCV. The patient is now requesting a medical related work release for carpal tunnel release and surgery, and the dispute is generated from the original injury.

#### REQUESTED SERVICE(S)

Left carpal tunnel release, interanal neurolysis, synovectomy left hand.

#### DECISION

Denied.

#### RATIONALE/BASIS FOR DECISION

Although the patient does have medical indications for paresthesias, a positive nerve conduction test for carpal tunnel release, accompanied with thenar atrophy, the symptoms do not correspond to the date of injury. As previously stated by the other reviewers, thenar atrophy takes several months to occur. It was probably a pre-existing disease, which was aggravated by the postoperative swelling and subsequently became more apparent. There are no records to reflect her current status. Had this been more acute, Dr. Azouz would have wanted to do a thorough workup for her carpal tunnel. Easy and traumatic carpal tunnels have to be handled quickly, on an emergency basis, as they are very quick onset and painful. There is no dispute that this patient has medical indications for carpal tunnel release.

#### 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 28<sup>th</sup> day of April 2006.

Signature of IRO Employee: \_\_\_\_\_

Printed Name of IRO Employee: Cindy Mitchell