

MDR Tracking Number: M5-03-0361-01

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective January 1, 2002 and Commission Rule 133.305 and 133.308 titled Medical Dispute Resolution by Independent Review Organizations, the Medical Review Division assigned an IRO to conduct a review of the disputed medical necessity issues between the requestor and the respondent.

The Medical Review Division has reviewed the IRO decision and determined that **the requestor did not prevail** on the issues of medical necessity. Therefore, in accordance with §133.308(q)(9), the Commission **Declines to Order** the respondent to refund the requestor for the paid IRO fee.

Based on review of the disputed issues within the request, the Medical Review Division has determined that **medical necessity was the only issue** to be resolved. The prescription medications, aloe vera liniment and paraffin wax were found to not be medically necessary. The respondent raised no other reasons for denying reimbursement.

This Order is hereby issued this 7th day of January 2003.

Noel L. Beavers  
Medical Dispute Resolution Officer  
Medical Review Division

NLB/nlb

December 11, 2002

### **NOTICE OF INDEPENDENT REVIEW DECISION**

**RE: MDR Tracking #: M5-03-0361-01**

\_\_\_ has been certified by the Texas Department of Insurance (TDI) as an independent review organization (IRO). \_\_\_ IRO Certificate Number is 5348. Texas Worker's Compensation Commission (TWCC) Rule §133.308 allows for a claimant or provider to request an independent review of a Carrier's adverse medical necessity determination. TWCC assigned the above-reference case to \_\_\_ for independent review in accordance with this Rule.

\_\_\_ has performed an independent review of the proposed care to determine whether or not the adverse determination was appropriate. Relevant medical records, documentation provided by the parties referenced above and other documentation and

written information submitted regarding this appeal was reviewed during the performance of this independent review.

This case was reviewed by a practicing doctor of osteopathy \_\_\_ external review panel. \_\_\_ physician reviewer signed a statement certifying that no known conflicts of interest exist between this physician and any of the treating physicians or providers or any of the physicians or providers who reviewed this case for a determination prior to the referral to \_\_\_ for independent review. In addition, \_\_\_ physician reviewer certified that the review was performed without bias for or against any party in this case.

### Clinical History

This case concerns a 37 year-old female who sustained a work related injury to her left elbow on \_\_\_. The patient stated that this injury occurred by repetitively answering phones and pulling chars as she worked as a medical records clerk. Her current diagnoses are chronic mechanical cervicothoracic pain/sprain syndrome, chronic cervicothoracic myofibrositis, upper extremity parestheses, mixed anxiety/depression associated with chronic pain, and somatic dysfunction with chronic myofibrositis (left shoulder).

### Requested Services

Aloe Vera Liniment and Paraffin Wax on 9/28/01 through 3/20/02.

### Decision

The Carrier's denial of coverage for these services is upheld.

### Rationale/Basis for Decision

\_\_\_ physician reviewer noted that this patient sustained a work related injury on \_\_\_ to her left elbow. \_\_\_ physician reviewer also noted that the patient was treated with Paraffin Wax and Aloe Vera for inflammation, pain, and psychological deficits associated with her injury of \_\_\_. \_\_\_ physician reviewer explained that the medical records provided did not indicate that the patient suffered from an acute inflammatory process due to this injury. \_\_\_ physician reviewer also explained that there was no documentation in the medical records provided indicating that the treatment had been curative or beneficial to the patient. \_\_\_ physician reviewer further explained that studies on the efficacy of wax treatment reveal dubious benefit. (Ruddy: Kelly's Textbook of Rheumatology; 2001). Therefore, \_\_\_ physician consultant concluded that the Aloe Vera Liniment and Paraffin Wax treatments rendered from 9/28/01 through 3/20/02 were not medically necessary for the treatment of this patient's condition.

Sincerely,