MDR Tracking Number: M5-03-2269-01

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, 2003** and Commission Rule 133.305 and 133.308 titled Medical Dispute Resolution by Independent Review Organizations, the Medical Review Division (Division) assigned an IRO to conduct a review of the disputed medical necessity issues between the requestor and the respondent.

The Division has reviewed the enclosed IRO decision and determined that **the requestor did not prevail** on the issues of medical necessity. The IRO agrees with the previous determination that the MRI of the thoracic and lumbar spine was not medically necessary. Therefore, the requestor is not entitled to reimbursement of the IRO fee.

Based on review of the disputed issues within the request, the Division has determined that the MRI of the thoracic and lumbar spine was the only fee involved in the medical dispute to be resolved. As the treatment was not found to be medically necessary, reimbursement for date of service 5-23-02 is denied and the Division declines to issue an Order in this dispute.

This Decision is hereby issued this 28th day of July 2003.

Dee Z. Torres
Medical Dispute Resolution Officer
Medical Review Division

DZT/dzt

IRO Certificate #4599

NOTICE OF INDEPENDENT REVIEW DECISION

July 23, 2003

Re: IRO Case # M5-03-2296-01

Texas Worker's Compensation Commission:

___has been certified as an independent review organization (IRO) and has been authorized to perform independent reviews of medical necessity for the Texas Worker's Compensation Commission (TWCC). Texas HB. 2600, Rule133.308 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 TWCC assign cases to certified IROs, TWCC assigned this case to ___ for an independent review. ___ has performed an independent review of the proposed care to determine if the adverse determination was appropriate. For that purpose, ___ 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 by the State of Texas. He or she has signed a certification statement attesting that no known conflicts of interest exist between him or her and 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 ___ 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 ___ reviewer who reviewed this case, based on the medical records provided, is as follows:

History
The patient injured her neck and upper and lower back on ___when a warehouse forklift with a load of boxes struck her from behind, pushing her several feet, and the boxes fell on her. MRIs of the cervical and thoracic spine were ordered, and were performed on 5/23/02.

Requested Service(s)
MRI of the thoracic and cervical spine

Decision
I agree with the carrier's decision to deny the requested treatment.

Rationale
The documentation submitted for review lacks specific clinical, objective, quantifiable findings to support the necessity of MRI studies. A letter dated 6/27/03 states that records were included from the consulting neurologist, but no records from a neurologist were provided for this review. From the records provided for this review, the services requested were excessive for the severity of the injury as documented.

This medical necessity decision by an Independent Review Organization is deemed to be a Commission decision and order.

Sincerely,