

The Petitioner appealed the denial through BCBSM's internal grievance process. At the conclusion of that process, on December 17, 2015, BCBSM issued a final adverse determination affirming its denial. The Petitioner now seeks the Director's review of that determination.

III. ISSUE

Is the computer-aided evaluation of an MRI an experimental or investigational medical service?

IV. ANALYSIS

Petitioner's Argument

In the request for external review the Petitioner stated:

I was notified by [my doctor] that my MRI was approved and covered – this was not investigational. I had a palpable mass, undetected on other imaging, maternal history of breast cancer and increased lifetime risk. [My doctor's] office stated they did not order this, the radiologist said it was standard to use the computer assisted evaluation and should be covered.

BCBSM's Argument

In its final adverse determination, BCBSM wrote:

To ensure all consideration was given to your appeal, a board-certified M.D. in Internal Medicine reviewed your claim, your appeal and your health care plan for BCBSM. After review, our medical consultant determined.

You had a MRI of the breast performed due to your higher risk of breast cancer. The provider added a computer-aided detection to the performance of the MRI to increase the radiologist's ability to better detect any concerning abnormalities. According to the BCBSM medical policy "Computer-Aided Evaluation of Malignancy with Magnetic Resonance Imaging of the Breast," the computer-aided detection software is experimental/investigational. There is insufficient published literature that supports the clinical utility of this detection system. No additional documentation to support the scientific effectiveness of the system was provided. Maintain denial.

Director's Review

The *Simply Blue HSA Group Benefit Certificate*, on page 134, provides, "We do not pay for experimental treatment." The *Certificate*, on page 152, defines experimental treatment as "Treatment that has not been scientifically demonstrated to be as safe and effective for treatment of the patient's condition as conventional treatment."

The question of whether computer-aided evaluation of an MRI is experimental or investigational was presented to an independent review organization (IRO) for analysis as required by section 11(6) of the Patient's Right to Independent Review Act, MCL 550.1911(6).

The IRO reviewer is a physician in active practice for more than 15 years who is board certified in radiology and is familiar with the medical management of patients with the member's condition. The IRO report included the following analysis and recommendation:

[W]hile the use of CAD [computer-aided detection] in the interpretation of breast MRI studies admittedly does not have large studies proving its value to experienced radiologists in improving outcomes, the use of the technique by radiologists interpreting the exams is well established....CAD [is] used by most radiologists charged with reading these studies....[U]se of the technique results in elimination of motion artifact, improves patient throughput and decreases false positive readings....[T]he difficulty in proving the value of the use of CAD in breast MRI lies in the lack of a double blind study showing its efficacy....[T]he use of CAD in the interpretation of mammograms has been present for decades and has proven invaluable in the interpretation of mammograms....[U]se of this technique in breast MRI is even more crucial due to the increased burden of hundreds of images facing the radiologist in each examination and the advantage offered by CAD is particularly crucial to interpreters who are not subspecialized as breast only imagers....[T]he use of CAD serves as a second set of eyes aiding the radiologist in formulating the best final report possible and by minimizing errors.

Pursuant to the information set forth above and available documentation...the computer-aided evaluation of the MRI (procedure code 0159T) performed on 9/3/15 was not experimental/investigational for diagnosis and treatment of the member's condition.

The Director is not required to accept the IRO's recommendation. *Ross v Blue Care Network of Michigan*, 480 Mich 153 (2008). However, the recommendation is afforded deference by the Director. In a decision to uphold or reverse an adverse determination, the Director must cite "the principal reason or reasons why the [Director] did not follow the assigned independent review organization's recommendation." MCL 550.1911(16)(b). The IRO's analysis is based on extensive experience, expertise, and professional judgment. In addition, the IRO's recommendation is not contrary to any provision of the Petitioner's certificate of coverage. MCL 550.1911(15).

The Director, discerning no reason why the IRO's recommendation should be rejected in this case, finds that the computer-aided evaluation of the September 3, 2015 MRI was not an experimental/investigational medical service and is therefore a covered benefit under the terms of the certificate.

V. ORDER

The Director reverses BCBSM's final adverse determination of December 17, 2015.

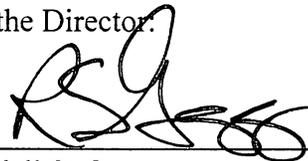
BCBSM shall immediately provide coverage for the Petitioner's computer-aided evaluation of the MRI. See MCL 550.1911(17). In addition, BCBSM shall, within seven days of providing coverage, furnish the Director with proof it has implemented this order.

To enforce this order, the Petitioner may report any complaint regarding its implementation to the Department of Insurance and Financial Services, Health Care Appeals Section, at this toll free telephone number: (877) 999-6442.

This is a final decision of an administrative agency. Under MCL 550.1915, any person aggrieved by this order may seek judicial review no later than 60 days from the date of this order in the circuit court for the Michigan county where the covered person resides or in the circuit court of Ingham County. A copy of the petition for judicial review should be sent to the Department of Insurance and Financial Services, Office of General Counsel, Post Office Box 30220, Lansing, MI 48909-7720.

Patrick M. McPharlin
Director

For the Director:



Randall S. Gregg
Special Deputy Director