

MAXIMUS FEDERAL SERVICES, INC.

Independent Medical Review

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Notice of Independent Medical Review Determination

Dated: 11/21/2013

[REDACTED]

[REDACTED]

Employee: [REDACTED]
Claim Number: [REDACTED]
Date of UR Decision: 8/8/2013
Date of Injury: 1/18/2011
IMR Application Received: 8/13/2013
MAXIMUS Case Number: CM13-0013050

- 1) MAXIMUS Federal Services, Inc. has determined the request for **occupational therapy two to three times a week for six weeks is not medically necessary and appropriate.**
- 2) MAXIMUS Federal Services, Inc. has determined the request for **home TENS unit is not medically necessary and appropriate.**

INDEPENDENT MEDICAL REVIEW DECISION AND RATIONALE

An application for Independent Medical Review was filed on 8/13/2013 disputing the Utilization Review Denial dated 8/8/2013. A Notice of Assignment and Request for Information was provided to the above parties on 9/19/2013. A decision has been made for each of the treatment and/or services that were in dispute:

- 1) MAXIMUS Federal Services, Inc. has determined the request for **occupational therapy two to three times a week for six weeks is not medically necessary and appropriate.**
- 2) MAXIMUS Federal Services, Inc. has determined the request for **home TENS unit is not medically necessary and appropriate.**

Medical Qualifications of the Expert Reviewer:

The independent medical doctor who made the decision has no affiliation with the employer, employee, providers or the claims administrator. The physician reviewer is Board Certified in Physical Medicine and Rehabilitation, and is licensed to practice in California. He/she has been in active clinical practice for more than five years and is currently working at least 24 hours a week in active practice. The Expert Reviewer was selected based on his/her clinical experience, education, background, and expertise in the same or similar specialties that evaluate and/or treat the medical condition and treatments and/or services at issue.

Expert Reviewer Case Summary:

Patient is a 57 year old female who had a work injury on 1/15/11. She was diagnosed with a cervical sprain, left meniscal tear, bilateral shoulder impingement, bilateral carpal tunnel. She underwent a Right carpal tunnel release on 2/26/10 and a left carpal tunnel release on 12/18/12. The issue at hand is if a home TENS unit is medically necessary and if OT 2-3 times per week is medically necessary s/p carpal tunnel release which is slow to recover.

Documents Reviewed for Determination:

The following relevant documents received from the interested parties and the documents provided with the application were reviewed and considered. These documents included:

- Application of Independent Medical Review
- Utilization Review Determination
- Medical Records from Claims Administrator
- Medical Treatment Utilization Schedule (MTUS)

1) Regarding the request for occupational therapy two to three times a week for six weeks:

Section of the Medical Treatment Utilization Schedule Relied Upon by the Expert Reviewer to Make His/Her Decision

The Claims Administrator based its decision on the MTUS postop rehab guidelines for carpal tunnel syndrome.

The Expert Reviewer based his/her decision on the Chronic Pain Medical Treatment Guidelines (2009), 9792.24.3 and Page 15, which are part of the MTUS.

Rationale for the Decision:

The employee has no documented evidence of limited wrist range of motion at this point and should be performing a HEP. Also, per the guidelines, there is limited evidence demonstrating the effectiveness of occupational therapy for carpal tunnel syndrome. **The request for occupational therapy two to three times a week for six weeks is not medically necessary and appropriate.**

2) Regarding the request for home TENS unit:

Section of the Medical Treatment Utilization Schedule Relied Upon by the Expert Reviewer to Make His/Her Decision

The Claims Administrator based its decision on the MTUS Chronic Pain Guidelines, page 114.

The Expert Reviewer based his/her decision on the Chronic Pain Medical Treatment Guidelines (2009), 9792.20-9792.26 and Pages 8 and 114-116.

Rationale for the Decision:

The employee has chronic pain but does not meet the guideline criteria for the use of a TENS unit. The guideline recommends a one month TENS unit trial adjunct within a functional restoration approach. **The request for home TENS unit is not medically necessary and appropriate.**

Effect of the Decision:

The determination of MAXIMUS Federal Services and its physician reviewer is deemed to be the final determination of the Administrative Director, Division of Workers' Compensation. With respect to the medical necessity of the treatment in dispute, this determination is binding on all parties.

In accordance with California Labor Code Section 4610.6(h), a determination of the administrative director may be reviewed only if a verified appeal is filed with the appeals board for hearing and served on all interested parties within 30 days of the date of mailing of the determination to the employee or the employer. The determination of the administrative director shall be presumed to be correct and shall be set aside only upon proof by clear and convincing evidence of one or more of the grounds for appeal listed in Labor Code Section 4610.6(h)(1) through (5).

Sincerely,

Paul Manchester, MD, MPH
Medical Director

cc: Department of Industrial Relations
Division of Workers' Compensation
1515 Clay Street, 18th Floor
Oakland, CA 94612

/dj

Disclaimer: MAXIMUS is providing an independent review service under contract with the California Department of Industrial Relations. MAXIMUS is not engaged in the practice of law or medicine. Decisions about the use or nonuse of health care services and treatments are the sole responsibility of the patient and the patient's physician. MAXIMUS is not liable for any consequences arising from these decisions.