

MAXIMUS FEDERAL SERVICES, INC.

Independent Medical Review

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Independent Medical Review Final Determination Letter

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dated: 12/20/2013

Employee: [REDACTED]
Claim Number: [REDACTED]
Date of UR Decision: 08/13/2013
Date of Injury: 03/04/2010
IMR Application Received: 08/28/2013
MAXIMUS Case Number: CM13-0017393

DEAR [REDACTED]

MAXIMUS Federal Services has completed the Independent Medical Review (“IMR”) of the above workers’ compensation case. This letter provides you with the IMR Final Determination and explains how the determination was made.

Final Determination: UPHOLD. This means we decided that none of the disputed items/services are medically necessary and appropriate. A detailed explanation of the decision for each of the disputed items/services is provided later in this letter.

The determination of MAXIMUS Federal Services and its physician reviewer is deemed to be the Final Determination of the Administrative Director of the Division of Workers’ Compensation. This determination is binding on all parties.

In certain limited circumstances, you can appeal the Final Determination. Appeals must be filed with the Workers’ Compensation Appeals Board within 30 days from the date of this letter. For more information on appealing the final determination, please see California Labor Code Section 4610.6(h).

Sincerely,

Paul Manchester, MD, MPH
Medical Director

cc: Department of Industrial Relations, [REDACTED]
[REDACTED]

HOW THE IMR FINAL DETERMINATION WAS MADE

MAXIMUS Federal Services sent the complete case file to a physician reviewer. He/she has no affiliation with the employer, employee, providers or the claims administrator. The physician reviewer is Board Certified in family medicine, 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 physician 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 disputed items/services.

DOCUMENTS REVIEWED

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

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

CLINICAL CASE SUMMARY

The physician reviewer developed the following clinical case summary based on a review of the case file, including all medical records:

This injured worker has chronic pain involving the right shoulder, right arm, right hand and neck. The original date of injury is 03/04/'10 while the patient worked in an office setting. The patient began physical therapy for her right shoulder, but stopped this treatment. On 02/01/'12 the patient underwent orthopedic surgery to repair a rotator cuff tear and labrum repair on the right shoulder. In June 2012 the patient returned to physical therapy. The patient received injections in her neck by a pain management specialist for cervical disc disease in August 2012. Dr. [REDACTED] note dated 11/26/12 list the patient's diagnoses as: right shoulder impingement, right carpal tunnel, cervical radiculitis, and internal derangement Left knee.

IMR DECISION(S) AND RATIONALE(S)

The Final Determination was based on decisions for the disputed items/services set forth below:

1. A sleep study is not medically necessary and appropriate.

The Claims Administrator based its decision on the Americal Sleep Disorders Association Guidelines, which is not part of the MTUS.

The Physician Reviewer found that no section of the MTUS was applicable. Per the Strength of Evidence hierarchy established by the California Department of Industrial Relations, Division of Workers' Compensation, the Expert Reviewer based his/her decision on on the Clinical Guideline for the Evaluation, Management and Long-term Care of Obstructive Sleep Apnea in Adults, pages 263 – 276, which is not part of the MTUS.

The Physician Reviewer's decision rationale: There is no mention of obstructive sleep apnea symptoms in the clinical record (interrupted sleep caused by episodes of failure to take breaths with or without daytime somnolence) nor any mention of objective clinical testing that shed light on these respiratory phenomena. A suitable test is a nocturnal sleep study with AHI (apnea hypopnea index) scoring. A sleep study is not medically indicated for this patient. **The request for a sleep study is not medically necessary and appropriate.**

/dat

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.

[REDACTED]

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