
Notice of Independent Medical Review Determination

Dated: 9/13/2013

[REDACTED]

[REDACTED]

[REDACTED]

Employee: [REDACTED]
Claim Number: [REDACTED]
Date of UR Decision: 7/3/2013
Date of Injury: 10/14/2012
IMR Application Received: 7/16/2013
MAXIMUS Case Number: CM13-0001736

- 1) MAXIMUS Federal Services, Inc. has determined the requested 6 follow up visits after completion of the Functional Restoration Program **are not medically necessary and appropriate.**

INDEPENDENT MEDICAL REVIEW DECISION AND RATIONALE

An application for Independent Medical Review was filed on 7/16/2013 disputing the Utilization Review Denial dated 7/3/2013. A Notice of Assignment and Request for Information was provided to the above parties on 7/19/2013. 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 requested 6 follow up visits after completion of the Functional Restoration Program **are 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, has a subspecialty in 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.

Case Summary:

Disclaimer: The following case summary was taken directly from the utilization review denial/modification dated July 3, 2013

"Review of the documentation identifies the claimant sustained an industrial injury on 10/14/12. The claimant has been under the care of treating physician for right chest wall contusion and right cervicobrachial syndrome. Request for 6 visits of aftercare program is accompanied by 188 pages of records."

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 for Independent Medical Review (dated 7/16/2013)
- Utilization Review from [REDACTED] (dated 7/3/2013)
- Medical Records from Dr. [REDACTED] (dated 10/14/12)
- Medical Records from [REDACTED] (dated 10/14/12)
- Medical Records from [REDACTED] (dated 10/14/12)
- Medical Records from Dr. [REDACTED] (dated 10/18/12)
- Medical Records from [REDACTED] (dated 10/18/12-4/30/13)
- Medical Records from [REDACTED] (dated 11/15/12-5/16/13)
- Medical Records from [REDACTED] (dated 1/22/13-7/10/13)
- Medical Records from [REDACTED] (dated 2/7/13)
- Chronic Pain Medical treatment Guidelines (May, 2009) Part 1, Pain Interventions and Treatments pgs 20-23

1) Regarding the request for 6 follow up visits after completion of the Functional Restoration Program:

Medical Treatment Guideline(s) Relied Upon by the Expert Reviewer to Make His/Her Decision:

The Claims Administrator based its decision on the Chronic Pain Medical Treatment Guidelines (May, 2009), Functional Restoration programs pg. 20-23, which is part of the Medical Treatment Utilization Schedule (MTUS). The provider did not dispute the guidelines used by the Claims Administrator. The Expert Reviewer found the guidelines used by the Claims Administrator relevant and appropriate for the employee's clinical circumstance.

Rationale for the Decision:

The employee sustained a work-related injury on October 14, 2012 to the right chest wall. The medical records provided for review indicate a diagnosis of chest wall bruise and right neck pain that radiates to the arm and hand. The medical report of June 24, 2013 through June 28, 2013 documents the employee completed a functional restoration program with good progress noted, however, there was minimal improvement noted between weeks four and six. Treatments have included pain medication and physical therapy. The request is for six (6) follow up visits after completion of the functional restoration program.

The MTUS Chronic Pain Medical Treatment Guidelines indicate that only 20 days or 160 hours is supported by evidence-based criteria for participation in functional restoration program. The medical records provided for review indicated the employee attended 6 weeks in the multidisciplinary program with minimal improvement to the employee's motor strength and range of motion values which would meet criteria for treatment beyond the guidelines. The request for six (6) follow up visits after completion of the functional restoration program 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;

Richard C. Weiss, MD, MPH, MMM, PMP
Medical Director

cc: Department of Industrial Relations
Division of Workers' Compensation
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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.