
Notice of Independent Medical Review Determination

Dated: 9/17/2013

[REDACTED]

[REDACTED]

[REDACTED]

Employee:	[REDACTED]
Claim Number:	[REDACTED]
Date of UR Decision:	7/9/2013
Date of Injury:	1/30/2003
IMR Application Received:	7/17/2013
MAXIMUS Case Number:	CM13-0001813

- 1) MAXIMUS Federal Services, Inc. has determined the request for Theramine #180 **is not medically necessary and appropriate.**

INDEPENDENT MEDICAL REVIEW DECISION AND RATIONALE

An application for Independent Medical Review was filed on 7/17/2013 disputing the Utilization Review Denial dated 7/9/2013. 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 request for Theramine #180 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.

Case Summary:

Disclaimer: The following case summary was taken directly from the utilization review denial/modification dated July 9, 2013:

"The patient is a 68 year-old male. The date of injury was January 30, 2003. The mechanism of injury is not noted. The accepted injury is to the back, neck, and multiple upper extremities. The current diagnosis is: Chronic back pain. Treatment has included: Diagnostics; medications.

The most recent report on file, dated June 11, 2013, Dr. [REDACTED] notes: Subjective: The patient has chronic back pain. Objective: No physical findings."

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 7/17/2013)
- Utilization Review from [REDACTED] (dated 7/9/2013)
- Medical Records from [REDACTED], MD (dated 7/24/12-6/18/13)
- Medical Records from [REDACTED] (dated 1/11/13-1/30/13)
- Medical Records from [REDACTED] (3/15/13)
- Medical Records from [REDACTED] (dated 3/26/13-6/27-13)
- Medical Records from [REDACTED] (dated 3/29/13-5/9/13)
- Official Disability Guidelines (ODG) (latest version) Pain Chapter-Theramine

1) Regarding the request for Theramine #180:

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

The Claims Administrator based its decision on the Official Disability Guidelines (ODG) (latest version) Pain Chapter-Theramine, which is a Medical Treatment Guideline not part of the Medical Treatment Utilization Schedule (MTUS). The provider did not dispute the guidelines used by the Claims Administrator. The Expert Reviewer stated MTUS did not address the issue at dispute and based his/her decision on the Official Disability Guidelines (ODG) (latest version) Pain Chapter, Theramine which is not part of the MTUS as relevant and appropriate for the employee's clinical circumstance.

Rationale for the Decision:

The employee sustained a work-related injury on 01/30/2003. The medical records provided for review indicate the employee is a surgical candidate and utilizes Norco and Theramine to treat chronic back pain. The request is for Theramine #180.

The MTUS does not address the use of Theramine, The Official Disability Guidelines (ODG) do not recommend the use of Theramine, a medical food, due to lack of high quality studies regarding its effectiveness in the treatment of chronic pain. The medical records provided for review do not document the efficacy with regard to a decrease in the rate of pain on a visual acuity scale (VAS) or an increase in objective functional improvements based on the current utilization of Theramine. The request for Theramine #180 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
1515 Clay Street, 18th Floor
Oakland, CA 94612

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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.