

MAXIMUS FEDERAL SERVICES, INC.

Independent Medical Review

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Notice of Independent Medical Review Determination

Dated: **11/25/2013**

[REDACTED]

[REDACTED]

Employee:	[REDACTED]
Claim Number:	[REDACTED]
Date of UR Decision:	7/10/2013
Date of Injury:	11/21/2011
IMR Application Received:	7/18/2013
MAXIMUS Case Number:	CM13-0001949

- 1) MAXIMUS Federal Services, Inc. has determined the request for **lumbosacral spine 3 x-rays, lateral and oblique views** is not medically necessary and appropriate.

INDEPENDENT MEDICAL REVIEW DECISION AND RATIONALE

An application for Independent Medical Review was filed on 7/18/2013 disputing the Utilization Review Denial dated 7/10/2013. A Notice of Assignment and Request for Information was provided to the above parties on 7/22/2013. 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 **lumbosacral spine 3 x-rays, lateral and oblique views** 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 Occupational 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 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:

The claimant, Mr. [REDACTED], is a represented [REDACTED] mechanic who has filed a claim for chronic low back pain reportedly associated with an industrial injury of November 12, 2011.

Thus far, he has been treated with the following: Analgesic medications; at least three prior epidural steroid injections; unspecified amounts of acupuncture; an MRI of the lumbar spine June 11, 2012, notable for 1 mm disk bulge; and extensive periods of time off of work.

The December 27, 2012, note suggested that the claimant is off of work, on total temporary disability.

The most recent progress note of July 29, 2013 is handwritten, not entirely legible, notable for comments that the claimant reports constant low back pain, occasional burning about the left knee to the left leg, exhibits pain with motion, positive straight leg raising, and symmetric deep tendon reflexes of the knees. Recommendations are made for the claimant to employ tramadol and Neurontin for pain relief while obtaining three views x-rays of the lumbar

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 lumbosacral spine 3 x-rays, lateral and oblique views :

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 American College of Occupational and Environmental Medicine (ACOEM), 2nd Edition, Chapter 12, page 303, which is part of the MTUS and the Official Disability Guidelines, (ODG), Back Procedure Summary, which is not part of the MTUS.

The Expert Reviewer based his/her decision on the Low Back Complaints (ACOEM Practice Guidelines, 2nd Edition (2004), Chapter 12), Special Studies and Diagnostic and Treatment Considerations-Low Back Complaints, table 12-7, pages 303-305, which is part of the MTUS.

Rationale for the Decision:

As noted in the ACOEM guidelines in chapter 12, table 12-7, plain film imaging is scored 1/4 in its ability to suspected disk protrusions, 1/4 in its ability to identify suspected cauda equina syndrome, 2/4 in its ability to identify suspected spinal stenosis, and 1/4 in its ability to identify post-laminectomy syndrome. ACOEM further notes that lumbar spine x-rays should not be recommended in the absence of red flags or serious spinal pathology. The documentation submitted for review is handwritten, sparse, not entirely legible, and failed to proffer any clear rationale for the test in question. **The request for a lumbosacral spine 3 X-ray, lateral and oblique views are 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

/db

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.