MAXIMUS FEDERAL SERVICES, INC.
Independent Medical Review
P.O. Box 138009
Sacramento, CA 95813-8009
(855) 865-8873 Fax: (916) 605-4270

MAXIMUS Federal Services

Notice of Independent Medical Review Determination

Dated: 10/28/2013

Employee:	
Claim Number:	
Date of UR Decision:	7/9/2013
Date of Injury:	11/18/1997
IMR Application Received:	7/24/2013
MAXIMUS Case Number:	CM13-0003011

1) MAXIMUS Federal Services, Inc. has determined the 14 SNP's Lab Testing requested **is not medically necessary and appropriate.**

INDEPENDENT MEDICAL REVIEW DECISION AND RATIONALE

An application for Independent Medical Review was filed on 7/24/2013 disputing the Utilization Review Denial dated 7/9/2013. A Notice of Assignment and Request for Information was provided to the above parties on 7/29/2013. 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 14 SNP's Lab Testing requested **is not medically necessary and appropriate.**

Medical Qualifications of the Professional 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 Internal 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 professional 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.

1) For the purpose of this review lumbar will be addressed.
2) Diagnosis: 722.10, 728.71
3) This retrospective review is based upon medical report of 3/26/13, which was initially received by the claims administrator/URO on 6/12/13.
4) This is a 53 year-old male s/p injury 11/18/97
5) Surgery history: s/p (R) TKA 2/10/06, s/p (L) knee arthroscopy [date not specified],
6) Discussion:

a. At the time of this request, this injury was over 15 years old and chronic.
b. Submitted is a laboratory report of testing of DNA from a buccal swab states that this is being done to assess the patient's predisposition if any to prescription narcotic dependence and/or tolerance.
c. Laboratory report says that this test provides an analysis of 14 single nucleotide polymorphisms (SNP's) then calculates a risk score. Clinicians may want to explore a reduction of narcotic usage for patients that possess genetically elevated risk for chronic tolerance.
d. The patient's result was 23 which falls in the moderate risk factor range of 15-28.
e. There is no evidence that this patient's opiate use has been escalating that there is any evidence of opiate abuse or misuse, opiate intoxication or any other suggestion that this patient was addicted or even tolerant to the opiate.
f. There is no mention of any aberrant pain behaviors.
g. Therefore, there was no clinical indication for any concern that this patient may have problems with opiate addiction or even tolerance.
h. Performing laboratory test to evaluate for this possibility, without any clinical indication that this may be present, is not supported by MTUS guidelines.

b. Summary: One time buccal swab DNA testing to assess patient's predisposition if any to prescription narcotic dependence and/or tolerance. Based upon lab test that provides an analysis of 14 SNP this report calculates a risk score.
c. 14 SNPs test performed, result: 23
d. Risk factor score: moderate
8) MRI Lumbar of 9/12/06 impression [previously reviewed]:
a. Mild multilevel spinal canal stenosis from the L3-4 level and caudal, due to disc protrusions and facet joint and ligamentum flavum hypertrophy. The spinal canal stenosis is focally moderate at the L4-5 level due to a moderate disc protrusion. Moderate degenerative disc changes at L4-5.
b. Posterior annular tear at L4-5.
c. Mild degenerative disc changes at L5-S1 and mild disc protrusion that effaces the thecal sac and produces bilateral neuroforaminal narrowing. There is impingement on the L5 exiting nerve roots.
d. Mild degenerative disc changes L3-4 and mild disc protrusion that effaces the thecal sac and produces bilateral neuroforaminal narrowing. There is impingement on the L3 exiting nerve roots.
e. Mild degenerative disc changes at L2-3 and a mild disc protrusion that effaces the thecal sac and produces neuroforaminal narrowing. There is encroachment on the L2 exiting nerve roots. Bilateral facet arthropathy is noted.
f. Schmorl's nodes at L3 and L4
g. Hemangiomas at T12 and S1.

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 (received 7/24/13)
- Utilization Review Determination from [redacted] (dated 7/9/13)
- Medical Records from [redacted]
- Medical Treatment Utilization Schedule (MTUS)

1) **Regarding the request for 14 SNPs lab testing:**

<u>Section of the Medical Treatment Utilization Schedule Relied Upon by the Professional Reviewer to Make His/Her Decision</u>
The Claims Administrator based its decision on the Claims Administrator based its decision on the Official Disability Guidelines (ODG), Pain Chapter, Genetic Testing for Opioid Addiction section, which is a medical treatment guideline that is not part of the California Medical Treatment Utilization Schedule (MTUS). The provider did not dispute the guidelines used by the Claims Administrator. The Expert 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 the guidelines used by the claims administrator.

Rationale for the Decision:
The employee sustained a work-related injury on 11/18/1997. The request is for 14 SNPs lab testing.

The ODG states that current research is experimental in terms of testing for this. Studies are inconsistent, with inadequate statistics and large phenotype range. Different studies use different criteria for definition of controls. More work is needed to verify the role of variants suggested to be associated with addiction and for clearer understanding of their role in different populations. The request for 14 SNPs lab testing **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

/slm

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.