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## Independent Medical Review Final Determination Letter

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Dated: 12/30/2013

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|---|--------------------------------------|------------------------------|-----------|
| <b>IMR Case Number:</b>                                   | CM13-0005926                         | <b>Date of Injury:</b>       | 12/5/2011 |
| <b>Claims Number:</b>                                     | ██████████                           | <b>UR Denial Date:</b>       | 7/19/2013 |
| <b>Priority:</b>  | Standard                             | <b>Application Received:</b> | 8/1/2013  |
| <b>Employee Name:</b>                                     | ██████████                           |                              |           |
| <b>Provider Name:</b>                                     | ██████████ MD                        |                              |           |
| <b>Treatment(s) in Dispute Listed on IMR Application:</b> | Aquatic Therapy 3xWk x 4Wks Low Back |                              |           |

DEAR ██████████

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, ██████████

## 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 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 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:

The underlying date of injury in this case is 12/05/2011. The primary diagnosis is a lumbosacral sprain. As of 02/21/2013, medical records indicate that the patient had received an unspecified number of physical therapy visits which had improved him just by about 5%. On 06/20/2013, the treating physician noted the patient had received an unspecified number of aquatic therapy visits which had improved the patient's symptoms. An initial physician review concluded that this treatment as requested was not medically necessary. The treating provider submitted a note 07/25/2013 stating the patient had lumbar radiculopathy and that when he was undergoing aquatic therapy it helped him a lot with his pain, and he wanted approval for the patient to receive aquatic therapy at this time.

### IMR DECISION(S) AND RATIONALE(S)

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

#### **1. Aquatic therapy 3xWk x 4Wks low back is not medically necessary and appropriate.**

The Claims Administrator based its decision on the Chronic Pain Medical Treatment Guidelines, pages 22 and 89, which are part of the MTUS.

The Physician Reviewer based his/her decision on the Chronic Pain Medical Treatment Guidelines (2009), Physical Medicine, which is part of the MTUS.

The Physician Reviewer's decision rationale:

The Chronic Pain Medical Treatment Guidelines section on Physical Medicine states "allow for fading of treatment frequency plus active self-directed home physical medicine." The treatment guidelines, therefore, anticipate physical therapy not as a definitive means of treatment but rather as a means of education to transition to independent active rehabilitation. The medical records

and guidelines do not provide a rationale or indication to support continued supervised therapy at this time. This request is not medically necessary.

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]

CM13-0005926