

**MAXIMUS FEDERAL SERVICES, INC.**

Independent Medical Review

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**Notice of Independent Medical Review Determination**

Dated: 11/13/2013

[REDACTED]

[REDACTED]

|                           |              |
|---------------------------|--------------|
| Employee:                 | [REDACTED]   |
| Claim Number:             | [REDACTED]   |
| Date of UR Decision:      | 7/25/2013    |
| Date of Injury:           | 3/2/2012     |
| IMR Application Received: | 8/5/2013     |
| MAXIMUS Case Number:      | CM13-0006584 |

- 1) MAXIMUS Federal Services, Inc. has determined the request for **chiropractic sessions two (2) times a week for six (6) weeks, right shoulder/cervical spine is not medically necessary and appropriate.**

## INDEPENDENT MEDICAL REVIEW DECISION AND RATIONALE

An application for Independent Medical Review was filed on 8/5/2013 disputing the Utilization Review Denial dated 7/25/2013. A Notice of Assignment and Request for Information was provided to the above parties on 9/4/2013. 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 **chiropractic sessions two (2) times a week for six (6) weeks, right shoulder/cervical spine is not medically necessary and appropriate.**

### **Medical Qualifications of the Expert Reviewer:**

The Expert Reviewer who made the decision has no affiliation with the employer, employee, providers or the claims administrator. The physician reviewer is Board Certified in Chiropractor, 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:**

*According to the available medical records, this is a 44 year old female patient with chronic neck and right shoulder pain. Previous treatments includes medication, injections to the right shoulder (2x), physical therapy (24x) and chiropractic (number of visits not documented). Based on the Primary treating physician's comprehensive initial physiatric evaluation report (05/22/2013) the patient complained of neck pain that radiated to the right shoulder, arm and hand, with numbness and tingling in the right hand as well as tenderness to palpation in the neck, with frequent headaches, and restricted ROM in the neck. The patient also complained of right shoulder pain that was intermitten and radiated to the arm and ahnd with popping, clicking and grinding sensation in the right shoulder. A follow up PR-2 report (07/17/2013) described the patient complains of cervical pain and right shoulder pain. The patient stated that the overall feeling was same.*

**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 chiropractic sessions two (2) times a week for six (6) weeks, right shoulder/cervical spine:**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 Chronic Pain Medical Treatment Guidelines, Manual therapy and manipulation, pgs. 58-59, which are part of the MTUS.

The Expert Reviewer based his/her decision on the Chronic Pain Medical, Manual therapy and manipulation, pgs. 58-59, which are part of the MTUS.

Rationale for the Decision:

According to the available medical records, there was no objective measurable gains in functional improvement documented from previous chiropractic treatments. The guideline criteria have not been met. The request for **chiropractic sessions two (2) times a week for six (6) weeks, right shoulder/cervical spine 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,

Paul Manchester, MD, MPH  
Medical Director

cc: Department of Industrial Relations  
Division of Workers' Compensation  
1515 Clay Street, 18<sup>th</sup> 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.