

MAXIMUS FEDERAL SERVICES, INC.

Independent Medical Review

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Notice of Independent Medical Review Determination

Dated: **12/17/2013**

[REDACTED]

[REDACTED]

Employee:	[REDACTED]
Claim Number:	[REDACTED]
Date of UR Decision:	7/26/2013
Date of Injury:	5/24/2006
IMR Application Received:	8/9/2013
MAXIMUS Case Number:	CM13-0009059

- 1) MAXIMUS Federal Services, Inc. has determined the request for **MRI of the lumbar spine is not medically necessary and appropriate.**

INDEPENDENT MEDICAL REVIEW DECISION AND RATIONALE

An application for Independent Medical Review was filed on 8/9/2013 disputing the Utilization Review Denial dated 7/26/2013. A Notice of Assignment and Request for Information was provided to the above parties on 10/11/2013. 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 **MRI of the lumbar spine 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 Orthopedic Surgery 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 patient reportedly suffered an injury as a result of a vocationally related truck accident on 05/24/06. Over the last seven years this patient has been treated by a variety of providers for a multitude of musculoskeletal complaints in the upper and lower extremities, neck, and axial skeleton. Most recent request is to determine the medical necessity of an MRI of his lumbar spine.

Records reflect that this patient has previously undergone an MRI scan of the lumbar spine. That study revealed largely age-related degenerative changes without distinct neural compression or significant posttraumatic deformity. Recent examination fails to reveal any evidence of neurologic impairment or distinct clinical change. It is noteworthy this patient has been on extensive doses of narcotics and other medications for subjective complaints.

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 Treatment Utilization Schedule (MTUS)
- Medical Records from:
 - Claims Administrator
 - Employee/Employee Representative
 - Provider

1) Regarding the request for MRI of the lumbar 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 Low Back Complaints (ACOEM Practice Guidelines, 2nd Edition (2004), Chapter 12) pg 303, which is part of MTUS.

The Expert Reviewer based his/her decision on the Low Back Complaints (ACOEM Practice Guidelines, 2nd Edition (2004), Chapter 12) pg 303-305, which is part of MTUS.

Rationale for the Decision:

The MRI scan of the lumbar spine would not meet CA MTUS ACOEM criteria. The ACOEM criteria states that MRI scans are typically reserved for individuals where there are obvious signs of neurologic compromise and/or distinct clinical change that would warrant proceeding with a study of this nature. The ACOEM guidelines go on to point out the potential high rate of false positive findings on MRI scans that are not clinically relevant. Furthermore, repeat studies are generally not recommended unless there is distinct change in an individual's clinical course.

Records in this particular case document longstanding complaints that appear largely out of proportion to anything that has been documented on physical exam and/or prior imaging studies. There is no distinct clinical change or objective neurologic findings that would warrant proceeding with the MRI scan at this point in time. **The request for MRI of the lumbar 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, 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.