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| Case Number: | CM13-0031908 | | |
| Date Assigned: | 12/04/2013 | Date of Injury: | 08/17/2010 |
| Decision Date: | 02/07/2014 | UR Denial Date: | 09/18/2013 |
| Priority: | Standard | Application Received: | 10/04/2013 |

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 has a subspecialty in Interventional Spine 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. He/she is familiar with governing laws and regulations, including the strength of evidence hierarchy that applies to Independent Medical Review determinations.

CLINICAL CASE SUMMARY

The expert reviewer developed the following clinical case summary based on a review of the case file, including all medical records:

This 43-year-old patient, 08/17/2010 date of injury. This patient presents with bilateral shoulder pain, low back pain, right foot plantar fasciitis. The request is for orthopedic consult for the right foot. This request was denied per [REDACTED] Utilization Review letter 09/18/2013. Rationale used was that little has been documented regarding foot and ankle complaints and clinical findings and that there is lack of comprehensive physical examination of right foot and ankle. Reviewed the report 08/19/2013 describes pain in the low back 4/10 to 6/10 with numbness and pain down both legs into the feet, right greater than left, as well as radiation into the shoulders. There is a long list of diagnosis, and one of the diagnoses is a right foot arthralgia. Request was for surgical consultation with [REDACTED] for right foot and ankle complaints. There are also reports from 07/09/2012 authored by [REDACTED]. This appears to be podiatric report. This report indicates that the patient was given diagnostic injection to his peroneus brevis. MRI of the foot was reviewed that showed split peroneal tear, and surgical intervention was discussed at that time. There are multiple reports by the podiatrist dated 03/19/2012 to 09/12/2013.

IMR ISSUES, DECISIONS AND RATIONALES

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

Orthopedic Consultation right foot: Overturned

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation on CA MTUS American College of

Occupational and Environmental Medicine (ACOEM), Chapter 7 and the Official Disability Guidelines (ODG), Pain Chapter.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation the CA MTUS American College of Occupational and Environmental Medicine (ACOEM), 2nd Edition, 2004 chapter 7, page 127.

Decision rationale: This patient presents with chronic low back, bilateral shoulder, and right foot pain. [REDACTED] has asked for orthopedic consult for right foot per 08/19/2013 report. This was denied by utilization review 09/18/2013 citing lack of documentation of subjective complaints and also subjective findings. ACOEM Guidelines clearly allow for specialist referrals when the treater does not feel comfortable managing the case. In this case, the patient has had podiatric evaluation and treatments. The extent of treatments may not be available for [REDACTED] [REDACTED] as the previous podiatric treatments were in 2012. However, orthopedic referral to right foot for continued management of the patient's foot and ankle complaints are reasonable and consistent with ACOEM Guidelines for specialty referral. Page 127 ACOEM Guidelines states, "The occupational health practitioner may refer to other specialists if a diagnosis is uncertain or extremely complex when psychological factors are present or when the plan or course of care may benefit from additional expertise."