

<b>Case Number:</b>	CM13-0034999		
<b>Date Assigned:</b>	01/15/2014	<b>Date of Injury:</b>	07/14/2011
<b>Decision Date:</b>	03/25/2014	<b>UR Denial Date:</b>	10/07/2013
<b>Priority:</b>	Standard	<b>Application Received:</b>	10/16/2013

### 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 Family 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 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 injured worker's date of injury was 07/14/11. The patient has chronic neck and back pain which began with an injury sustained while lifting a heavy sack at work. The treating physician is requesting a Functional Capacity evaluation. The latest pertinent clinical note from his provider is dated 08/15/13.\

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Functional Capacity evaluation QTY: 1.00:** Upheld

**Claims Administrator guideline:** Decision based on MTUS ACOEM Page(s): 137-138.

**MAXIMUS guideline:** Decision based on MTUS ACOEM Page(s): 137-138.

**Decision rationale:** With respect to the request for a functional capacity evaluation, the ACOEM Guidelines state the employer or claim administrator may request functional ability evaluations, known as functional capacity evaluations (FCEs), to further assess current work capability. These assessments also may be ordered by the treating or evaluating physician, if the physician feels the information from such testing is crucial. Though FCEs are widely used and promoted, it is important for physicians and others to understand the limitations and pitfalls of these evaluations. Functional capacity evaluations may establish physical abilities, and also facilitate the examinee/employer relationship for return to work. However, FCEs can be deliberately

simplified evaluations based on multiple assumptions and subjective factors, which are not always apparent to their requesting physician. There is little scientific evidence confirming that FCEs predict an individual's actual capacity to perform in the workplace; an FCE reflects what an individual can do on a single day, at a particular time, under controlled circumstances, that provide an indication of that individual's abilities. As with any behavior, an individual's performance on an FCE is probably influenced by multiple non-medical factors other than physical impairments. For these reasons, it is problematic to rely solely upon the FCE results for determination of current work capability and restrictions. It is the employer's responsibility to identify and determine whether reasonable accommodations are possible to allow the examinee to perform the essential job activities. In this case, this patient has chronic low back pain. Currently, there is no solid evidence that Functional Capacity Evaluations add substantive data in the management decision making of the clinicians caring for injured workers with chronic low back pain. In short, these evaluations lack the necessary tight correlations with the actual activities an injured worker can in fact do on returning to the workplace. There is simply no sound basis to rely on these evaluations as an integral part of the decision making process in deciding when to return such a worker back to his job. The request for a Functional Capacity Evaluation is non-certified.