

<b>Case Number:</b>	CM13-0048112		
<b>Date Assigned:</b>	12/27/2013	<b>Date of Injury:</b>	05/05/2008
<b>Decision Date:</b>	06/20/2014	<b>UR Denial Date:</b>	10/03/2013
<b>Priority:</b>	Standard	<b>Application Received:</b>	11/04/2013

### HOW THE IMR FINAL DETERMINATION WAS MADE

MAXIMUS Federal Services sent the complete case file to an expert reviewer. He/she has no affiliation with the employer, employee, providers or the claims administrator. The expert reviewer is Board Certified in Internal Medicine, has a subspecialty in Nephrology, 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 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:

The patient is a 36-year-old male with a date of injury on 5/5/08. The original injuries were to his right ankle and back. On 1/31/13, an evaluation suggested that there was a high suspicion for obstructive sleep apnea (OSA). On 2/13/13, an overnight sleep study was performed and it was found that 5-11cm H2O with a small ultra-mirage mask resulted in significant improvement in sleep disorder breathing and snoring. As a result of his original injury, the patient was on narcotics and there was concern that the narcotics were contributing to his sleep issues. The patient underwent an Approved Medical Examination in February of 2013, which noted that if there is concern that the narcotic medications were contributing, he should come off of those medications to look for improvement. Narcotic medications were removed. The patient continued to experience OSA that required a continuous positive airway pressure (CPAP) machine.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**CONTINUOUS POSITIVE AIRWAY PRESSURE (CPAP) MACHINE:** Upheld

**Claims Administrator guideline:** The Claims Administrator did not cite any medical evidence for its decision.

**MAXIMUS guideline:** The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation UpToDate: Initiation of Positive Airway Pressure Therapy for Obstructive Sleep Apnea in Adults.

**Decision rationale:** Although the data demonstrates that the patient has OSA and uses a CPAP machine, the work-related concern was that the cause of the OSA was due to narcotic dependence. In this case, the patient underwent a period in which he was removed from all narcotics; it is noted that even after all narcotics were withdrawn the OSA persisted. In several visit notes, the patient had an elevated BMI documented which is a known cause of OSA. This is largely a clinical decision with no specific guidelines to use as evidence; however the facts of the case do not support the industrial injury as the cause of his OSA. Additionally, the treatment of his industrial injury was not found to be the cause of his OSA. As such, the request is not medically necessary.