MAXIMUS Federal Services

Case Number:	CM13-0050594		
Date Assigned:	12/27/2013	Date of Injury:	06/02/2003
Decision Date:	03/10/2014	UR Denial Date:	10/11/2013
Priority:	Standard	Application Received:	11/14/2013

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 Occupational 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:

The applicant is a represented [redacted] employee, who has filed a claim for chronic low back pain and fibromyalgia, reportedly associated with an industrial injury of June 2, 2003. Thus far, the applicant has been treated with the following: Analgesic medications; attorney representation; adjuvant medications; muscle relaxants; psychotropic medications; prior lumbar spine surgery; and extensive periods of time off of work. In a Utilization Review Report of October 11, 2013, the claims administrator denied a request for a spinal cord stimulator trial and associated psychological clearance. The claims administrator wrote that the applicant does not carry a diagnosis which will qualify for usage of a spinal cord stimulator. Outdated MTUS guidelines were cited, along with non-MTUS ODG guidelines. The applicant's attorney subsequently appealed. In a later note of October 9, 2013, is it acknowledged that the applicant is status post prior lumbar laminectomy surgery and apparently has a residual L5 radiculopathy. In a September 25, 2013 progress note, authorization sought for various analgesic and blood pressure lower medications. In a September 15, 2013 progress note, it is stated that the applicant has ongoing complaints of low back pain radiating to the bilateral lower extremities. The applicant is apparently unable to tolerate a CPAP machine. The applicant is apparently a candidate for further spine surgery, it is stated. The applicant is severely obese with a BMI of 40. Authorization is sought for a spinal cord stimulator and associated pre-stimulator evaluation.

IMR ISSUES, DECISIONS AND RATIONALES

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

Spinal Cord Stimulator Trial: Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation (ODG) Official Disability Guidelines.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Indications for stimulator implantation, Psychological evaluations, and IDDS & SCS (intrathecal.

Decision rationale: While page 107 of the MTUS Chronic Pain Medical Treatment Guidelines does acknowledge that failed back syndrome is one of the indications for a spinal cord stimulator trial, page 101 of the MTUS Chronic Pain Medical Treatment Guidelines also suggest that a precursor psychological evaluation be performed before a spinal cord stimulator trial is considered. In this case, while the claimant does seemingly carry a diagnosis of failed back syndrome status post prior lumbar laminectomy and might, indeed, be a candidate for said spinal cord stimulator trial, he has not had the precursor psychological evaluation performed before the SCS trial was sought. Therefore, the request remains non-certified on the grounds that the precursor evaluation had not been performed before the request in question.