

Case Number:	CM13-0052834		
Date Assigned:	12/30/2013	Date of Injury:	10/03/2012
Decision Date:	03/14/2014	UR Denial Date:	11/09/2013
Priority:	Standard	Application Received:	11/18/2013

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 and Pain Management, 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 is a 40 year-old male who was injured on 10/3/12. He has been diagnosed with hand pain; paresthesia; radial nerve injury; acquired spondylolisthesis; and low back pain. The IMR application shows a dispute with the 11/9/13 UR decision. The 11/9/13 UR letter is from [REDACTED] and is in response to the 10/28/13 medical report from [REDACTED], and recommends against the facet block injection with diagnostic MBB. The records show that the patient underwent bilateral intraarticular facet injections, bilateral L4/5 and L5/S1 on 9/9/10 with Celestone and IV sedation which took his pain from 4/10 to 0/10 for a few days, then by 9/17/13 the patient reported still having 75% improvement. Then on 10/28/13 the pain is returning to baseline, and [REDACTED] recommended the facet block and MBB, but did not specify the levels. The 11/14/13 report clarifies this, stating he requests a MBB bilateral L3, L4 and L5.

IMR ISSUES, DECISIONS AND RATIONALES

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

One Facet Block with Diagnostic Medical Branch Block Bilaterally Under Fluoroscopic Guidance: 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 (ODG) Official Disability Guidelines, Low Back Chapter.

Decision rationale: The patient presents with low back pain. The physician states the 9/9/13 facet injection at L4/5 and L5/S1 was successful and claims there was relief for 2-months. The 9/9/13 operative report shows the patient's baseline pain at 4/10, before the intraarticular facet injection. The pain at the time was reported to have decreased from 4/10 to 0/10. But then on 9/17/13, a week after the injection, the improvement was reported at 75%. This apparently would mean there was 1/10 pain? The 9/17/13 report did not provide a pain assessment with a numeric scale, and at one-week post-injection, it would be premature to consider the procedure successful, as ODG guidelines states there must be initially 70% pain relief and then at least 50% for at least 6-weeks. The next report is dated 10/28/13 from [REDACTED], and it states the pain is "almost back to baseline" There is no numeric scale to assess the pain compared to the 4/10 baseline reported before the 9/9/13 facet injection. This would've been 6-7 weeks post injection, and would be the report that could confirm whether the patient had at least 50% pain relief for 6-weeks. The next report was dated 11/14/13 and states the patient actually reported return of severe pain on the last visit. The 11/18/13 report confuses the picture, as at that time the pain level was reported as 8-1/2 out of 10. There was no discussion as to why the pain level is worse than prior baseline, and there is only speculation that there was 50% pain relief for 6-weeks. The physician's statement that the facet injection provided 2-months of relief is not consistent with his prior reports. ODG guidelines suggest proceeding to a MBB and RFA if the facet injection was successful. Based on the available documentation, the facet injection has not been verified to be successful and the request for MBB is not in accordance with the ODG guidelines.