

<b>Case Number:</b>	CM13-0060769		
<b>Date Assigned:</b>	12/30/2013	<b>Date of Injury:</b>	08/19/2013
<b>Decision Date:</b>	05/12/2014	<b>UR Denial Date:</b>	11/15/2013
<b>Priority:</b>	Standard	<b>Application Received:</b>	12/04/2013

### 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 Physical Medicine and Rehabilitation, has a subspecialty in Pain Management 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:

This is a patient with a date of injury of 8/19/13. A utilization review determination dated 11/15/13 recommends non-certification of TLSO hard shell for 3 months, TENS unit, PT x 2 sessions for instruction on TENS and biomechanic postural training, and a book on mindfulness based stress reduction, postural training, and foundations for core strengthening. The 11/18/13 medical report identifies that the patient had PT with pain reduction utilizing TENS and the patient needs a trial of outpatient daily TENS unit use. Regarding the LSO, the patient has a non-healing posterior annular tear and bracing will facilitate daily walking and other increased physical activities while minimizing pain. The patient has cried at night because of the pain and any attempt to avoid opiate dose escalation with benign treatment modalities should be employed. Regarding the authorization for MBSR program, the workbook is written for stress reduction applicable to pain management for chronic pain and teaches meditation and yoga techniques. This program has been studied and shown to be effective in reducing chronic inflammatory markers and stress hormones. A PUBMED search was recommended and said to reveal many clinical studies to support the use of this technique in the management of chronic pain.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**TLSO HARD SHELL FOR 3 MONTHS:** Upheld

**Claims Administrator guideline:** Decision based on MTUS ACOEM Chapter 12 Low Back Complaints Page(s): 301.

**MAXIMUS guideline:** Decision based on MTUS ACOEM Chapter 12 Low Back Complaints Page(s): 301.

**Decision rationale:** Regarding the request for TLSO hard shell for 3 months, California MTUS notes that lumbar supports have not been shown to be effective beyond the acute phase of symptom relief. Within the documentation available for review, the patient is beyond the acute stage of injury and the provider notes that the patient has a non-healing posterior annular tear and bracing will facilitate daily walking and other increased physical activities while minimizing pain. However, there is no clear evidence supportive of the use of bracing in the management of this condition in the absence of instability, compression fractures, etc. In light of the above issues, the currently requested TLSO hard shell for 3 months is not medically necessary.

**TENS UNIT FOR PAIN MANGEMENT DAILY, ONE DAILY UNIT RENTAL WITH 2 ELECTRODES:** Upheld

**Claims Administrator guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Page(s): 114-116.

**MAXIMUS guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Transcutaneous Electrotherapy Page(s): 114-117.

**Decision rationale:** Regarding the request for TENS unit for pain management daily, one daily unit rental with 2 electrodes, California MTUS supports a one-month trial of TENS when there is documentation of pain of at least three months duration and evidence that other appropriate pain modalities have been tried (including medication) and failed. Within the documentation available for review, there is documentation of some unquantified pain relief with use of TENS in PT and a desire for a trial of TENS at home. However, the guidelines support only a one-month trial and, unfortunately, there is no provision for modification of the current request. In light of the above issues, the currently requested TENS unit for pain management daily, one daily unit rental with 2 electrodes is not medically necessary.

**PT 2 SESSIONS FOR INSTRUCTION ON TENS UNIT & BIOMECHANIC POSTURAL TRAINING:** Upheld

**Claims Administrator guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Page(s): 98-99.

**MAXIMUS guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Physical Medicine Page(s): 98-99.

**Decision rationale:** Regarding the request for PT 2 sessions for instruction on TENS unit & biomechanic postural training, California MTUS cites that "patients are instructed and expected to continue active therapies at home as an extension of the treatment process in order to maintain

improvement levels." Within the documentation available for review, there is documentation of completion of prior PT sessions. The TENS unit has not been deemed medically necessary and there is no clear rationale for additional instruction in postural training beyond instruction given within the prior course of PT. In light of the above issues, the currently requested PT 2 sessions for instruction on TENS unit & biomechanic postural training is not medically necessary.

**MINDFULNESS BASED STRESS REDUCITON BOOK/WORKBOOK; 8 STEPS BOOK FOR POSTURAL TRAINING, FOUNDATIONS BOOK FOR CORE STRENGTHENING:** Upheld

**Claims Administrator guideline:** The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation CA Labor Code 4600(a)

**MAXIMUS guideline:** The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation National Center for Biotechnology Information

**Decision rationale:** Regarding the request for mindfulness based stress reduction book/workbook; 8 steps book for postural training, foundations book for core strengthening, California MTUS and ODG do not address the issue. Within the documentation available for review, the provider noted that this program has been studied and shown to be effective in reducing chronic inflammatory markers and stress hormones and that a PUBMED search would reveal many clinical studies to support the use of this technique in the management of chronic pain. However, a search did not reveal studies supportive of its use for chronic pain. Rather, the studies showed inconclusive evidence of effectiveness and the need for further randomized controlled trials with larger sample sizes, adequate control interventions, and longer follow-ups before firm conclusions can be drawn. In light of the above issues, the currently requested mindfulness based stress reduction book/workbook; 8 steps book for postural training, foundations book for core strengthening is not medically necessary.