

Case Number:	CM13-0063529		
Date Assigned:	12/30/2013	Date of Injury:	02/06/2007
Decision Date:	03/31/2014	UR Denial Date:	11/27/2013
Priority:	Standard	Application Received:	12/09/2013

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 physician 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] [REDACTED] employee who has filed a claim for chronic neck, shoulder, wrist, and bilateral knee pain reportedly associated with an industrial injury of February 6, 2007. The applicant has also alleged derivative psychological issues, it is incidentally noted. Thus far, the applicant has been treated with the following: Analgesic medications; attorney representation; transfer of care to and from various providers in various specialties; antidepressants; and blood pressure lowering medications. In a utilization review report of November 27, 2013, the claims administrator denied a request for an unspecified article of durable medical equipment. The applicant's attorney subsequently appealed. A September 12, 2013 medical-legal evaluation is notable for comments that the applicant has multiple foci of pain. The applicant is depressed. The applicant is no longer working as a ground maintenance worker. The applicant is apparently pending a total knee arthroplasty, it appears. She is apparently in a wheelchair. An earlier note of July 18, 2013 is again notable for comments that the applicant is using a wheelchair to move about. She was instructed to remain off of work, on total temporary disability while continuing with unspecified conservative therapy. On August 29, 2013, the applicant was again described as using a wheelchair to move about the clinic. She was given prescriptions for Fioricet, Zolof, Zestoretic, clonidine, Procardia, and Prilosec.

IMR ISSUES, DECISIONS AND RATIONALES

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

DURABLE MEDICAL EQUIPMENT (UNSPECIFIED): Upheld

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

MAXIMUS guideline: Decision based on MTUS ACOEM Chapter 13 Knee Complaints
Page(s): 339.

Decision rationale: An August 29, 2013 progress note suggested that the applicant is already using a wheelchair. It is not clear what specific DME article is being sought at this point in time and/or why it is being sought. As noted in the MTUS-adopted ACOEM Guidelines in Chapter 13, page 339, it is critical that applicants attempt to maximize activity. It is not clear what article of DME is being sought here and/or whether it would serve to maximize or minimize the applicant's levels of activity. As noted by the medical legal evaluator, the applicant should try and get out the wheelchair which she was previously issued. Therefore, the request is not certified both owing to the imprecise nature of the request as well as owing to the fact that it does not appear that the DME article in question would maximize the applicant's overall level of activity.