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| Case Number: | CM13-0068952 | | |
| Date Assigned: | 01/08/2014 | Date of Injury: | 06/12/2012 |
| Decision Date: | 03/19/2014 | UR Denial Date: | 12/09/2013 |
| Priority: | Standard | Application Received: | 12/20/2013 |

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 Orthopedic Surgery, 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 patient has a date of injury of 6/12/12. The complaint is of the ankle pain. Status post repair of malunion 8/21/12 of left Lisfranc injury with arthrodesis of Lisfranc joint on 3/27/13. Exam note from 7/21/13 demonstrates constant or moderate pain over the foot. Exam note 11/18/13 demonstrates continued pain to the left foot. Report of request for redo left foot arthrodesis of failed Lisfranc fusion.

IMR ISSUES, DECISIONS AND RATIONALES

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

A redo of the left foot arthrodesis of a failed Lisfranc's fusion: 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), Indications for Surgery Chapter.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines, Indications for Surgery Chapter.

Decision rationale: The Physician Reviewer's decision rationale: According to the Official Disability Guidelines, Criteria for fusion (ankle, tarsal, metatarsal) to treat non- or malunion of a fracture, or traumatic arthritis secondary to on-the-job injury to the affected joint includes

Conservative Care (Immobilization, which may include: Casting, bracing, shoe modification, or other orthotics. OR Anti-inflammatory medications), plus Subjective Clinical Findings (Pain including that which is aggravated by activity and weight-bearing. AND Relieved by Xylocaine injection), plus Objective Clinical Findings (Malalignment and decreased range of motion), plus Imaging Clinical Findings (Positive x-ray confirming presence of loss of articular cartilage (arthritis) or bone deformity (hypertrophic spurring, sclerosis) or non- or malunion of a fracture; Supportive imaging could include a bone scan (for arthritis only) to confirm localization or Magnetic Resonance Imaging (MRI) or Tomography). Also according to the ODG, the procedures which are not supported include intertarsal or subtalar fusion, except for stage 3 or 4 adult acquired flatfoot. In this case there is insufficient evidence of failure of conservative care or definitive evidence on imaging of a failed fusion of LisFranc joint. Therefore, the request to redo left foot arthrodesis of a failed Lisfranc's fusion is not medically necessary or appropriate.

An assistant surgeon: Upheld

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

MAXIMUS guideline: The Expert Reviewer did not cite any medical evidence for its decision.

Decision rationale: Since the primary procedure is not medically necessary, none of the associated services are medically necessary or appropriate.