

Case Number:	CM14-0019583		
Date Assigned:	04/23/2014	Date of Injury:	05/17/2011
Decision Date:	08/06/2014	UR Denial Date:	02/12/2014
Priority:	Standard	Application Received:	02/17/2014

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 Physical Medicine and Rehabilitation and is licensed to practice in Nevada. 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:

The records presented for review indicate that this 34-year-old male was reportedly injured on May 17, 2011. The mechanism of injury is noted as climbing out the back of a truck and twisting his left foot on a piece of wood. The most recent progress note, dated May 2, 2014, indicates that there are ongoing complaints of left ankle pain, and numbness and tingling, and inability to bear weight on the left foot. The physical examination demonstrated tenderness over and incision at the lateral aspect of the ankle and tenderness along the peroneal tendons. There was full left ankle muscle strength and increased sensitivity over the left calf and the entire left foot. There was no muscular atrophy present. There was a positive Tinel's test over the prior incision which causes hypersensitivity and tingling along the left foot. Nerve conduction studies dated October 3, 2013 indicate diminished and perineal motor amplitude suggestive of a corresponding neuropathy. There was concern for a nerve entrapment. A request was made for an orthopedic consult and a neurological consult and was not certified in the pre-authorization process on February 12, 2014.

IMR ISSUES, DECISIONS AND RATIONALES

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

ORTHOPEDIC CONSULT: Overturned

Claims Administrator guideline: Decision based on MTUS ACOEM.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation American College of Occupational and Environmental Medicine (ACOEM), 2nd Edition, (2004) , Chapter 7 - Independent Medical Examinations and Consultations, pg 127.

Decision rationale: It is unclear from the prior utilization management review why an orthopedic consultation was determined not to be medically necessary, the injured employee has had prior left ankle surgery and now has apparent symptoms related to the surgical site indicative of a possible nerve entrapment. The symptoms are supported by the findings of nerve conduction studies. Therefore evaluation with orthopedics could further investigate if additional surgery would alleviate these issues. This request for an orthopedic consult is medically necessary.

NEUROLOGIST CONSULT: Upheld

Claims Administrator guideline: Decision based on MTUS ACOEM.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation American College of Occupational and Environmental Medicine (ACOEM), 2nd Edition, (2004) , Chapter 7 - Independent Medical Examinations and Consultations, pg 127.

Decision rationale: It is unclear from the attached medical record why a neurological consult is needed. Although the injured employee has apparent nerve involvement related to the issues of the left ankle. This appears to be solely the responsibility of an orthopedic consultation. There is no other neurological issue noted that the injured employee complains of. Without additional justification, this request for a Neurologist consult is not medically necessary.