

Case Number:	CM14-0118129		
Date Assigned:	08/06/2014	Date of Injury:	11/24/2012
Decision Date:	10/01/2014	UR Denial Date:	07/09/2014
Priority:	Standard	Application Received:	07/25/2014

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 in Neurology, has a subspecialty in Neuromuscular Medicine and is licensed to practice in New Jersey. 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 patient is a 37-year-old woman who sustained a work-related injury November 24, 2012. Subsequently she developed chronic back pain. The according to a progress note dated on June 16, 2014, the patient was complaining of back pain rated 8/10 and leg pain rated 6/10-8/10. The patient was treated with Norco, anti-inflammatory and muscle relaxant medications without success as well as acupuncture aquatic therapy. In addition the patient has previous lumbar surgery. Her physical examination demonstrated limited range of motion of the cervical and lumbar spine. The rest of her physical examination including her neurologic examination was normal. The patient requested authorization for NESP-R program consultation.

IMR ISSUES, DECISIONS AND RATIONALES

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

NESP-R program consultation: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Page(s): 31-32, 34.

MAXIMUS guideline: Decision based on MTUS ACOEM Chapter 8 Neck and Upper Back Complaints Page(s): 171, Chronic Pain Treatment Guidelines Chronic pain programs, early intervention Page(s): 32-33.

Decision rationale: According to MTUS guidelines, the presence of red flags may indicate the need for specialty consultation. In addition, the requesting physician should provide a documentation supporting the medical necessity for a pain management evaluation with a specialist. The documentation should include the reasons, the specific goals and end point for using the expertise of a specialist. In the chronic pain programs, early intervention section of MTUS guidelines stated: Recommendations for identification of patients that may benefit from early intervention via a multidisciplinary approach: (a) the patient's response to treatment falls outside of the established norms for their specific diagnosis without a physical explanation to explain symptom severity. (b) The patient exhibits excessive pain behavior and/or complaints compared to that expected from the diagnosis. (c) There is a previous medical history of delayed recovery. (d) The patient is not a candidate where surgery or other treatments would clearly be warranted. (e) Inadequate employer support. (f) Loss of employment for greater than 4 weeks. The most discernible indication of at risk status is lost time from work of 4 to 6 weeks. (Mayer 2003). There is documentation that the patient response to pain medications is outside the established norms for recovery from his lumbar issue. There are no red flags or justification for a pain management consultation. Furthermore, the provider reported did not document lack of pain and functional improvement that require referral to a pain specialist. The requesting physician did not provide a documentation supporting the medical necessity for a pain management evaluation with a specialist. There is no documentation that the patient developed opioid dependence, aberrant behavior or abnormal urine drug screen. The documentation did not include the reasons, the specific goals and end point for using the expertise of a pain specialist. Therefore, the request for NESP-R program consultation is not medically necessary.