

Case Number:	CM14-0154533		
Date Assigned:	09/24/2014	Date of Injury:	06/01/2006
Decision Date:	12/02/2014	UR Denial Date:	08/29/2014
Priority:	Standard	Application Received:	09/22/2014

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 General 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 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 61 year old male was injured 6/1/06. The requesting provider has determined it necessary to move forward with decompression at L3-4. The patient has marked unrelenting radicular symptoms. He is said to have classic and severe symptoms of spinal/neurogenic claudication. MRI studies are consistent with his diagnosis. He has requested approval of electrodiagnostic studies and of a neurology consultation to confirm that the patient has significant neuropathology in the lumbar spine. He plans to operate no matter what the study of the consultation would reveal. It is for this latter reason that the requests for electrodiagnostic studies and a neuro consultation were denied. Thus, the present appeal.

IMR ISSUES, DECISIONS AND RATIONALES

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

Neurology evaluation: Upheld

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

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), Occupational Medical Practice Guidelines, Second Edition. Chapter 7, page 127.

Decision rationale: "Consultation: To aid in the diagnosis, prognosis, therapeutic management, determination of medical stability, and permanent residual loss and/or the examinee's fitness for return to work. A consultant is usually asked to act in an advisory capacity, but may sometimes take full responsibility for investigation and/or treatment of an examinee or patient." The medical records provided to this reviewer have NOT established medical necessity for this request. The surgeon has stated that he is going to operate regardless of the consultant's opinion. Therefore there is nothing to be gained that would be of benefit to the patient. Therefore the request for a Neurology Consultation is not medically necessary.

EMG/NCS of the lower extremities: Upheld

Claims Administrator guideline: Decision based on MTUS ACOEM Chapter 12 Low Back Complaints.

MAXIMUS guideline: Decision based on MTUS ACOEM Chapter 12 Low Back Complaints Page(s): 61.

Decision rationale: Per MTUS and ACOEM Guidelines, "electrodiagnostic studies are recommended where a CT or MRI is equivocal and there are ongoing pain complaints that raise questions about whether there may be a neurological compromise that may be identifiable such as leg symptoms consistent with radiculopathy". The medical records provided to this reviewer have NOT established medical necessity for this request. The surgeon has stated that he is going to operate regardless of the findings of the electrodiagnostic studies . Therefore there is nothing to be gained that would be of benefit to the patient. Therefore the request for Lower Extremities Electrodiagnostic Studies is not medically necessary.