

Case Number:	CM14-0158569		
Date Assigned:	10/02/2014	Date of Injury:	03/01/2007
Decision Date:	11/06/2014	UR Denial Date:	09/10/2014
Priority:	Standard	Application Received:	09/26/2014

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 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 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 claimant has filed a claim for chronic knee pain reportedly associated with an industrial injury of March 1, 2007. Thus far, the applicant has been treated with the following: analgesic medications; transfer of care to and from various providers in various specialties; viscosupplementation injections for knee arthritis; corticosteroid injections for the same; and dietary supplements. In a September 10, 2014 Utilization Review Report, the claims administrator denied a request for a knee brace. In a July 21, 2014 progress note, the applicant reported "ongoing and debilitating" pain involving both knees, aggravated by weight-bearing. The applicant was able to do household chores, including cooking and cleaning, following recent viscosupplementation injections. The applicant was ambulating with the aid of a cane, it was noted. The attending provider opined that the applicant's medical-legal evaluator had improperly apportioned portions of the applicant's impairment rating. The applicant was moving slowly, with the aid of a cane. Positive McMurray maneuvers were noted bilaterally. Knee viscosupplementation injection was given. The applicant was given Norco, Naprosyn, Prilosec, and Fexmid. The applicant's work status was not provided. A left knee OTS brace was recommended. The applicant's work status was not clearly stated, although it did not appear that the applicant was working.

IMR ISSUES, DECISIONS AND RATIONALES

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

Purchase of OTS Trainer Brace (L1843) for the left knee: Upheld

Claims Administrator guideline: Decision based on MTUS ACOEM Chapter 13 Knee Complaints. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Knee & Leg Chapter, Knee Brace

MAXIMUS guideline: Decision based on MTUS ACOEM Chapter 13 Knee Complaints Page(s): 340 and 346.

Decision rationale: As noted in the MTUS-adopted ACOEM Guidelines, Chapter 13, page 340, for the average injured worker, using a knee brace is usually unnecessary. ACOEM notes that usually a brace is necessary only if a claimant is going to be stressing the knee under load, such as by climbing ladders or carrying boxes. In this case, however, there is no evidence that the applicant is working and/or that the applicant is stressing the knee by climbing ladders and/or carrying boxes. ACOEM Chapter 13, Table 13-6, page 346, does establish some limited role for functional bracing by noting that it is "optional" as part of rehabilitation program; in this case, however, there is no evidence that the applicant is undergoing formal or informal rehabilitation. There is no evidence that the applicant is working. There is no evidence that the applicant is participating in home exercises. It is not clear what role knee bracing would serve in the context present here. Therefore, the request is not medically necessary.