

Case Number:	CM14-0177062		
Date Assigned:	10/30/2014	Date of Injury:	11/19/2010
Decision Date:	12/05/2014	UR Denial Date:	09/24/2014
Priority:	Standard	Application Received:	10/24/2014

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 Family 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:

This is a 34-year-old male who reported an industrial injury to his back on 11/19/2010, four (4) years ago, attributed to the performance of his usual and customary job tasks. The patient continues to complain of lower back pain radiating to the left lower extremity attributed to spinal stenosis. The patient is not interested in additional physical therapy (PT), cortisone shots or surgical intervention. The patient requested Norco for pain management. There has been no change to the pain issue. The objective findings on examination included no tenderness to palpation; motor is 5/5 throughout bilateral lower extremities; sensation intact to light touch; toes or warm and well perfused; no obvious deformity of the spine; muscle strength of the lower extremities were 5/5. The diagnosis was spinal stenosis and left sided disc bulges and foraminal stenosis and L4-L5 and L5-S1 causing low back pain and left-sided radiculopathy. The treatment plan included Norco 10/325 mg one pill per day and the purchase of and H wave muscle stimulator.

IMR ISSUES, DECISIONS AND RATIONALES

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

H-Wave purchase: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Page(s): 117-118.

MAXIMUS guideline: Decision based on MTUS ACOEM Chapter 12 Low Back Complaints Page(s): 300, 189, Chronic Pain Treatment Guidelines H-wave stimulation Page(s): 117-118. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Low back chapter -H-wave stimulation devices; Pain chapter H-wave stimulation devices

Decision rationale: Treatment of the back with H-wave is not supported with objective evidence and is not consistent with recommendations of the CA MTUS. The CA MTUS only recommends a 30-day trial of treatment with an H-wave device. The CA MTUS states that the H-wave unit is "Not recommended as an isolated intervention, but a one-month home-based trial of H-Wave stimulation may be considered as a noninvasive conservative option for diabetic neuropathic pain (Julka, 1998) (Kumar, 1997) (Kumar, 1998), or chronic soft tissue inflammation if used as an adjunct to a program of evidence-based functional restoration, and only following failure of initially recommended conservative care, including recommended physical therapy (i.e., exercise) and medications, plus transcutaneous electrical nerve stimulation (TENS)." There are no evidence-based guideline recommendations for the H wave muscle stimulator for rehabilitation. The patient's back pain is being evaluated and treated orthopedically. There is no demonstrated medical necessity for the use of the H wave muscle stimulator four (4) years status post date of injury. There was no prior use of a TENS unit documented. The provider did not provide subjective/objective evidence to support the medical necessity of the H-wave Unit for the treatment of the patient's pain issues over the recommended participation in a self-directed home exercise program. There is no documentation of failed conservative care; chronic soft tissue inflammation; diabetic neuropathic pain; or participation in HEP. There is no provided functional improvement documented by the requesting provider and there is no objective evidence provided that the use of the H-wave muscle stimulator is medically necessary over a self-directed home exercise program. It is not clear that the requested H-Wave device would be used as an adjunct to a program of functional restoration or that ongoing conservative care. The patient does not meet the criteria recommended by evidence-based guidelines for the use of H-wave devices for the treatment of the back pain. The treatment of chronic back pain with H-wave stimulation is not recommended by the CA MTUS; the ACOEM Guidelines, or the Official Disability Guidelines. There is no objective evidence provided to support the medical necessity of H-wave stimulator over a TENS unit or a self-directed home exercise program. The CA MTUS recommends the H-wave unit for the treatment of chronic low back pain diagnosed as spinal stenosis in a 34-year-old patient. The ACOEM Guidelines state there is "insufficient evidence" to support the use of the H-wave stimulator for treatment of acute or chronic pain. The requested DME is not directed to a diabetic neuropathy or a chronic soft tissue inflammation as recommended by the CA MTUS or the Official Disability Guidelines. The medical documentation submitted demonstrates that the patient does not meet the criteria recommended by evidence-based guidelines for the use of H-wave devices. The purchase of the H-wave muscle stimulator unit for treatment of chronic back pain is not consistent with the applicable guidelines and is not demonstrated to be medically necessary.