

Case Number:	CM14-0035946		
Date Assigned:	06/23/2014	Date of Injury:	05/31/2013
Decision Date:	07/25/2014	UR Denial Date:	03/14/2014
Priority:	Standard	Application Received:	03/24/2014

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 Occupational Medicine and is licensed to practice in Texas. 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 injured worker is a 55 year old male who sustained an injury to his low back on 05/31/13 due to being struck in the back by a heavy piece of machinery. The injured worker noted that he initially had low back pain that would travel down the left leg, which had resolved. The injured worker noted that he continued to have low back pain that was starting to radiate proximally up his thoracic spine the injured worker noted that his low back pain would also radiate down his right leg to the level of the knee. The injured worker denied any numbness and tingling of the lower extremities. The injured worker completed at least 12 visits of physical therapy and six visits of acupuncture treatment without much benefit it was noted that the injured worker was compliant in a home exercise program physical examination noted lumbar spine flexion 60 degrees, 15 degrees side bending right, 30 degrees side bending left, 20 degrees rotation bilaterally straight leg raise negative; sensory normal; reflexes 3+ and symmetrical at L4 and 1+ and symmetrical at S1 bilaterally; able to heel toe walk without difficulty; no scoliosis appreciated; motor strength 5/5 throughout bilateral lower extremities. An MRI of the lumbar spine dated 07/09/13 revealed 5mm right posterior lateral herniation at L2-3 resulting in mild right neural foraminal stenosis; moderate disc desiccation at L3-4 with normal disc height and a 4mm broad based disc protrusion encroaching in the neural foramina bilaterally.

IMR ISSUES, DECISIONS AND RATIONALES

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

Transforaminal Epidural Steroid Injection, Right L3: Upheld

Claims Administrator guideline: Decision based on MTUS ACOEM Chapter 12 Low Back Complaints Page(s): 300, Chronic Pain Treatment Guidelines Epidural Steroid Injections Page(s): 46. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Low back regarding epidural steroid injection (ESIs), therapeutic.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Epidural steroid injections Page(s): 46.

Decision rationale: The request for transforaminal ESI right L3 is not medically necessary. A previous request was denied on the basis that there were no clear findings on physical examination consistent with radiculopathy from the cited pathological level. The injured worker underwent a lumbar ESI at right L3 dated 02/25/13 with significant relief of symptoms; however, the injured worker was evaluated only to have about one week after the injection of relief. The Chronic Pain Medical Treatment Guidelines state that radiculopathy must be documented by physical examination and corroborated by imaging studies and/or electrodiagnostic testing. Given this, the request for transforaminal epidural steroid injection at right L3 is not indicated as medically necessary.