

Case Number:	CM14-0044875		
Date Assigned:	07/02/2014	Date of Injury:	01/13/2014
Decision Date:	08/05/2014	UR Denial Date:	03/24/2014
Priority:	Standard	Application Received:	04/11/2014

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 Orthopaedic 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 52-year-old female sustained an industrial injury on 1/13/14. The 3/3/14 cervical MRI impression documented minimal annular bulging at C4/5 and mild annular bulging at C6/7. Records indicated the patient had attended physical therapy and chiropractic treatment with no improvement. The 3/15/14 treating physician report cited worsening grade 9/10 posterior neck, occipital nuchal pain with right shoulder pain, and left lateral elbow pain radiating down the left forearm. There was intermittent left small and ring finger tingling. Physical exam findings documented cervical paraspinal tenderness and normal cervical range of motion. Right shoulder exam documented mild upper trapezius tenderness, normal range of motion, biceps tenderness at the bicipital groove, positive Speed's test, and equivocal empty can test. Left elbow exam documented normal range of motion, tenderness at the extensor tendon insertion, pain with wrist extension, cubital tunnel tenderness, and positive Tinel's. The diagnosis was left lateral epicondylitis, cervicgia, cervical intervertebral disc degeneration, right biceps tendonitis, and rule-out rotator cuff injury. The treatment plan recommended right shoulder MRI and orthopedic surgeon consultation. The treating physician noted utilization review denials for physical therapy, chiropractic, and TENS unit. The 3/24/14 utilization review indicated that the orthopedic surgeon consult was denied in the header but in the body of the report stated that orthopedic surgeon consult was approved to assist in the formulation of a diagnosis and treatment plan.

IMR ISSUES, DECISIONS AND RATIONALES

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

Ortho Surgeon Consult: Overturned

Claims Administrator guideline: Decision based on MTUS ACOEM Page(s): 208-209. Additionally, Chapters 8-14..

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), 2nd Edition, (2004) Independent Medical Examinations and Consultations, page(s) 127.

Decision rationale: The California MTUS guidelines support referral to a specialist if a diagnosis is uncertain or extremely complex, when psychosocial factors are present, or when the plan or course of care may benefit from additional expertise. A consultant is usually asked to act in an advisory capacity, but may sometimes take full responsibility for treatment of a patient. Guideline criteria have been met. This patient presents with multiple orthopedic complaints that have worsened despite conservative treatment. Additional conservative treatment has been denied. The use of a specialist to assist with diagnosis and treatment planning is consistent with guidelines. Therefore, this request for orthopedic surgeon consult is medically necessary.