

Case Number:	CM14-0048055		
Date Assigned:	07/02/2014	Date of Injury:	10/21/2013
Decision Date:	08/26/2014	UR Denial Date:	03/20/2014
Priority:	Standard	Application Received:	04/16/2014

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:

This is a 55-year-old female with a date of injury of 10/21/13. The mechanism of injury occurred when she was struck in the back of the head by a hard covered textbook, thrown by a student. She sustained head pain, but did not lose consciousness. On 2/19/14 and 2/26/14, she complained of neck and mid-back pain, and daily headaches. She has difficulty with organizing her thoughts, word retrieval difficulties in conversations and spelling errors when writing. A summary of her exam showed diminished attention, focus, poor concentration and persistent headaches. The mechanism of injury and the pattern of physical, cognitive and emotional symptoms are consistent with that of mild brain injury. The diagnostic impression is post concussion syndrome, adjustment disorder with mixed anxiety and depressed mood. Treatment to date: physical therapy, aqua therapy, chiropractic therapy, medication management. A UR decision dated 3/20/14 denied the request for speech therapy. Based on the medical treatment guidelines, there was no indication of a clear diagnosis of a speech, hearing, or language disorder resulting from injury, trauma, or a medically based illness or disease.

IMR ISSUES, DECISIONS AND RATIONALES

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

Speech therapy 8 sessions: Overturned

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG).

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Head Chapter, Speech Therapy (ST) Other Medical Treatment Guideline or Medical Evidence.

Decision rationale: CA MTUS does not address this issue. Recommended as indicated below. Speech therapy (ST) is the treatment of communication impairment and swallowing disorders. Speech and language therapy is defined as therapy services, including diagnostic evaluation and therapeutic intervention, that are designed to improve, develop, correct, rehabilitate, or prevent the worsening of speech/language communication and swallowing disorders that have been lost, impaired, or reduced as a result of acute or chronic medical conditions, congenital anomalies, or injuries. Speech and language disorders are those that affect articulation of speech, sounds, fluency, voice, swallowing (regardless of the presence of a communication disability), and those that impair comprehension, or spoken, written, or other systems used for communication. On 2/19/14 and 2/26/14, she had a neuropsychological evaluation. The psychologist stated that it is expected in the majority of cases of mild brain injury that a good recovery can be expected over time especially if proper attention to her physical symptoms and following the recommendations that will address her daily functioning issues are met. One of the recommendations provided by the psychologist stated that she would benefit from working with a speech therapist skilled in working with individuals with brain injuries to address her difficulties with organization of her writing, spelling and word retrieval issues. She has not been able to perform her usual activities or work, and in the past 4 months she has experienced increasing difficulties with thought organization in both speech and writing. Therefore, the request for 8 sessions of speech therapy is medically necessary.