

Case Number:	CM14-0055650		
Date Assigned:	07/09/2014	Date of Injury:	09/17/2013
Decision Date:	12/23/2014	UR Denial Date:	04/03/2014
Priority:	Standard	Application Received:	04/24/2014

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 Anesthesiology, has a subspecialty in Pain Management 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:

According to the records made available for review, this is a 57-year-old male with a 9/17/13 date of injury, and low back surgeries in 1980 and 2009. At the time (4/3/14) of request for authorization for Functional Restoration Program Evaluation and Functional Capacity Evaluation, there is documentation of subjective (lower back pain, pain rated 5-8/10, associated constipation, spasms, and fatigue; chronic pain and functional limitations issues with household chores, personal care, and sleep) and objective (patellar reflex 1+ on the right, Achilles tendon could not be elicited bilaterally) findings, current diagnoses (sprains and strains of lumbar region), and treatment to date (physical therapy, home exercise program, lumbar support, and medications). Regarding Functional Restoration Program Evaluation, there is no documentation that there is an absence of other options likely to result in significant clinical improvement; that the patient is not a candidate where surgery or other treatments would clearly be warranted; and that the patient exhibits motivation to change. Regarding Functional Capacity Evaluation, there is no documentation indicating case management is hampered by complex issues (prior unsuccessful RTW attempts, conflicting medical reporting on precautions and/or fitness for modified job, injuries that require detailed exploration of a worker's abilities); that timing is appropriate (Close to or at MMI/all key medical reports secured and that additional/secondary conditions have been clarified).

IMR ISSUES, DECISIONS AND RATIONALES

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

Functional Restoration Program Evaluation: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Page(s): 31-32.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Chronic pain programs (functional restoration programs) Page(s): 31-32.

Decision rationale: MTUS Chronic Pain Medical Treatment Guidelines identifies documentation that previous methods of treating chronic pain have been unsuccessful and there is an absence of other options likely to result in significant clinical improvement; the patient has a significant loss of ability to function independently resulting from the chronic pain; the patient is not a candidate where surgery or other treatments would clearly be warranted; and the patient exhibits motivation to change, as criteria necessary to support the medical necessity of chronic pain program evaluation. Within the medical information available for review, there is documentation of diagnosis of sprains and strains of lumbar region. In addition, there is documentation that previous methods of treating chronic pain have been unsuccessful; and that the patient has a significant loss of ability to function independently resulting from the chronic pain. However, there is no documentation that there is an absence of other options likely to result in significant clinical improvement; that the patient is not a candidate where surgery or other treatments would clearly be warranted; and that the patient exhibits motivation to change. Therefore, based on guidelines and a review of the evidence, the request for Functional Restoration Program Evaluation is not medically necessary.

Functional Capacity Evaluation: Upheld

Claims Administrator guideline: The Claims Administrator did not cite any medical evidence for its decision.

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) 137-138 and on the Official Disability Guidelines (ODG) Fitness For Duty, Functional capacity evaluation (FCE)

Decision rationale: MTUS reference to ACOEM guidelines identifies that functional capacity evaluations (FCE) may establish physical abilities and also facilitate the examinee/employer relationship for return to work. ODG identifies documentation indicating case management is hampered by complex issues (prior unsuccessful RTW attempts, conflicting medical reporting on precautions and/or fitness for modified job, injuries that require detailed exploration of a worker's abilities); and timing is appropriate (Close to or at MMI/all key medical reports secured and additional/secondary conditions have been clarified), as criteria necessary to support the medical necessity of a functional capacity evaluation. Within the medical information available for review, there is documentation of diagnosis of sprains and strains of lumbar region. However, there is no documentation indicating case management is hampered by complex issues (prior unsuccessful RTW attempts, conflicting medical reporting on precautions and/or fitness for modified job, injuries that require detailed exploration of a worker's abilities); that timing is

appropriate (Close to or at MMI/all key medical reports secured and that additional/secondary conditions have been clarified). Therefore, based on guidelines and a review of the evidence, the request for Functional Capacity Evaluation is not medically necessary.