

Case Number:	CM14-0071993		
Date Assigned:	07/16/2014	Date of Injury:	02/03/2012
Decision Date:	09/12/2014	UR Denial Date:	05/15/2014
Priority:	Standard	Application Received:	05/16/2014

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:

The applicant is a represented [REDACTED] employee who has filed a claim for chronic low back pain reportedly associated with an industrial injury of February 3, 2012. Thus far, the applicant has been treated with analgesic medications; transfer of care to and from various providers in various specialties; unspecified amounts of physical therapy over the course of the claim; a knee brace, work restrictions; and a lumbar support. In a Utilization Review Report dated May 15, 2014, the claims administrator partially certified a request for a back brace as a lumbar elastic support and denied a Kuhl Shields brace. Both MTUS and non-MTUS Guidelines were apparently employed in the report. In a medical-legal evaluation of March 5, 2014, the applicant was described as working full time as a detention service officer at [REDACTED], despite ongoing complaints of low back and right knee pain. On March 17, 2014, the applicant was asked to continue physical therapy while returning to work with restrictions. A specialized knee brace was apparently endorsed. On April 21, 2014, the applicant was asked to continue working with restrictions. The applicant had developed issues with depression and anxiety. The attending provider complained that the request for back support and a knee brace had been ignored by the claims administrator.

IMR ISSUES, DECISIONS AND RATIONALES

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

Back brace, purchase: Upheld

Claims Administrator guideline: Decision based on MTUS ACOEM Chapter 12 Low Back Complaints. Decision based on Non-MTUS Citation Official Disability Guidelines, Low back, Lumbar supports.

MAXIMUS guideline: Decision based on MTUS ACOEM Chapter 12 Low Back Complaints Page(s): 301.

Decision rationale: As noted in the MTUS-adopted ACOEM Guidelines in Chapter 12, page 301, lumbar supports/back braces have not been shown to have any lasting benefit beyond the acute phase of symptom relief. In this case, the applicant is, quite clearly, outside of the acute phase of symptom relief following an industrial injury of February 3, 2012. Introduction of and/or ongoing usage of a lumbar support is not indicated at this late stage in the life of the claim, per ACOEM. Therefore, the request is not medically necessary.

Kushi shield brace, purchase: Upheld

Claims Administrator guideline: Decision based on MTUS ACOEM Chapter 12 Low Back Complaints. Decision based on Non-MTUS Citation Official Disability Guidelines, Low back, Lumbar supports.

MAXIMUS guideline: Decision based on MTUS ACOEM Chapter 12 Low Back Complaints Page(s): 301.

Decision rationale: As noted in the MTUS-adopted ACOEM Guidelines in Chapter 12, page 301, lumbar support/back braces have not been shown to have any lasting benefit beyond the acute phase of symptom relief. In this case, the applicant is, quite clearly, well outside of the acute phase of symptom relief following an industrial injury of February 3, 2012. Introduction of a back brace is not indicated at this late stage in the life of the claim, per ACOEM. Therefore, the request is not medically necessary.