

Case Number:	CM14-0122333		
Date Assigned:	08/06/2014	Date of Injury:	05/13/2013
Decision Date:	01/28/2015	UR Denial Date:	07/02/2014
Priority:	Standard	Application Received:	08/01/2014

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 Medicine, Acupuncture 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:

57y/o male injured worker with date of injury 5/13/13 with related right wrist and hand, right shoulder, and right elbow pain. Per progress report dated 6/18/14, the injured worker complained of moderate to severe wrist and hand pain that was described as aching. He also complained of slight to moderate pain in the right shoulder, and moderate to severe pain in the right elbow that was described as aching and sharp. Per physical exam, there was +2 spasm and tenderness to the right rotator cuff muscles and right upper shoulder muscles. There was +3 spasm and tenderness to the right medial and lateral epicondyles. There was +3 spasm and tenderness to the right anterior wrist. Treatment to date has included physical therapy, and medication management. The date of UR decision was 7/2/14.

IMR ISSUES, DECISIONS AND RATIONALES

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

Electromyography (EMG) of the bilateral upper extremities: Overturned

Claims Administrator guideline: Decision based on MTUS ACOEM Chapter 11 Forearm, Wrist, and Hand Complaints Page(s): 268-269. Decision based on Non-MTUS Citation Official Disability Guidelines

MAXIMUS guideline: Decision based on MTUS ACOEM Chapter 8 Neck and Upper Back Complaints Page(s): 177.

Decision rationale: ACOEM guidelines support ordering of imaging studies for emergence of red flags, physiologic evidence of tissue insult or neurologic dysfunction, failure to progress in a strengthening program intended to avoid surgery, and clarification of the anatomy prior to an invasive procedure. Physiologic evidence may be in the form of definitive neurologic findings on physical examination, electrodiagnostic studies, laboratory tests, or bone scans. Unequivocal findings that identify specific nerve compromise on the neurologic examination are sufficient evidence to warrant imaging studies if symptoms persist. When the neurologic examination is less clear, however, further physiologic evidence of nerve dysfunction can be obtained before ordering an imaging study. Electromyography (EMG), and nerve conduction velocities (NCV), including H-reflex tests, may help identify subtle focal neurologic dysfunction in patients with neck or arm symptoms, or both, lasting more than three or four weeks. The documentation indicates that the injured worker has wrist and hand pain refractory to conservative measures. I respectfully disagree with the UR physician's denial based on lack of physical exam findings, the guidelines do not mandate this. The medical records indicated that the procedure was requested due to positive Tinel's and Phalen's testing, however, these were not noted in the physical exam. Their absence may have been a typographical error, but their appearance in a part of the record different from the physical exam does not obviate their relevance. The request is medically necessary.

Nerve conduction velocity (NCV) of the bilateral upper extremities: Overturned

Claims Administrator guideline: Decision based on MTUS ACOEM Chapter 11 Forearm, Wrist, and Hand Complaints Page(s): 268-269. Decision based on Non-MTUS Citation Official Disability Guidelines

MAXIMUS guideline: Decision based on MTUS ACOEM Chapter 8 Neck and Upper Back Complaints Page(s): 177.

Decision rationale: ACOEM guidelines support ordering of imaging studies for emergence of red flags, physiologic evidence of tissue insult or neurologic dysfunction, failure to progress in a strengthening program intended to avoid surgery, and clarification of the anatomy prior to an invasive procedure. Physiologic evidence may be in the form of definitive neurologic findings on physical examination, electrodiagnostic studies, laboratory tests, or bone scans. Unequivocal findings that identify specific nerve compromise on the neurologic examination are sufficient evidence to warrant imaging studies if symptoms persist. When the neurologic examination is less clear, however, further physiologic evidence of nerve dysfunction can be obtained before ordering an imaging study. Electromyography (EMG), and nerve conduction velocities (NCV), including H-reflex tests, may help identify subtle focal neurologic dysfunction in patients with neck or arm symptoms, or both, lasting more than three or four weeks. The documentation indicates that the injured worker has wrist and hand pain refractory to conservative measures. I respectfully disagree with the UR physician's denial based on lack of physical exam findings, the guidelines do not mandate this. The medical records indicated that the procedure was requested due to positive Tinel's and Phalen's testing, however, these were not noted in the physical exam. Their absence may have been a typographical error, but their appearance in a part of the record different from the physical exam does not obviate their relevance. The request is medically necessary.

