

<b>Case Number:</b>	CM14-0177039		
<b>Date Assigned:</b>	10/30/2014	<b>Date of Injury:</b>	12/01/2009
<b>Decision Date:</b>	01/27/2015	<b>UR Denial Date:</b>	09/23/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	10/24/2014

### 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 Emergency 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 injured worker is a 57 year-old male, who sustained an injury on December 1, 2009. The mechanism of injury occurred from cumulative trauma and chemical exposure. Diagnostics have included: Lumbar MRI reported as showing mild multi-level degenerative disease. Treatments have included: physical therapy, medications. The current diagnoses are: multilevel lumbar disc protrusions, left knee meniscal tear, cervical disc protrusions. The stated purpose of the request for Ortho consult for the lumbar spine and bilateral knees: was noted. The request for Ortho consult for the lumbar spine and bilateral knees: was denied on September 23, 2014 citing that the injured worker was already under the care of an orthopedic surgeon, who felt that conservative care was not indicated. Per an orthopedic evaluation dated June 24, 2014, the provider requested lumbar decompression and arthroscopic knee surgery, which were denied. Per the report dated September 2, 2014, the treating physician noted complaints of low back pain with radiating leg pain and bilateral knee pain. Exam showed decreased lumbar ROM with tenderness, bilateral positive straight leg raising tests, decreased bilateral knee ROM with positive McMurray tests bilaterally.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Ortho consult for the lumbar spine and bilateral knees:** Upheld

**Claims Administrator guideline:** The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation ACOEM Guidelines 2004 OMPG, Independent

Medical Examinations and Consultations, Chapter 7, page 127; and the Official Disability Guidelines - TWC 2014, Office Visits

**MAXIMUS guideline:** Decision based on MTUS ACOEM Chapter 12 Low Back Complaints, Chronic Pain Treatment Guidelines Part 1: Introduction Page(s): 1.

**Decision rationale:** The requested Ortho consult for the lumbar spine and bilateral knees:, is not medically necessary. American College of Occupational and Environmental Medicine (ACOEM), 2nd Edition, (2004), Chapter 12, Low Back Complaints, Assessing red flags and indications for immediate referral, recommend specialist consultation with "physical exam evidence of severe neurologic compromised that correlates with the medical history and test results"; and California Medical Treatment Utilization Schedule (MTUS), 2009, Chronic pain, page 1, Part 1: Introduction, states "If the complaint persists, the physician needs to reconsider the diagnosis and decide whether a specialist evaluation is necessary." The injured worker has low back pain with radiating leg pain and bilateral knee pain. The treating physician has documented decreased lumbar ROM with tenderness, bilateral positive straight leg raising tests, decreased bilateral knee ROM with positive McMurray tests bilaterally. The request for Ortho consult for the lumbar spine and bilateral knees: was denied on September 23, 2014 citing that the injured worker was already under the care of an orthopedic surgeon, who felt that conservative care was not indicated. The treating physician has not documented the medical necessity for another orthopedic consult with a previous orthopedic evaluation and recommendations are on file. The criteria noted above not having been met, Ortho consult for the lumbar spine and bilateral knees: is not medically necessary.