

Case Number:	CM14-0196487		
Date Assigned:	11/26/2014	Date of Injury:	08/14/2013
Decision Date:	01/14/2015	UR Denial Date:	11/12/2014
Priority:	Standard	Application Received:	11/24/2014

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 Internal 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 (IW) is a 60-year-old man with a date of injury of August 14, 2014. The mechanism of injury is documented as an industrial accumulation acoustic trauma. The IW has been diagnosed with noise-induced hearing loss, and tinnitus. Pursuant to the Office Clinical Summary at the Sacramento Ear, Nose and Throats Surgical and Medical Group dated October 17, 2014, the IW present with hearing loss, worse on the left. Sounds seem distorted, muffled and distant. The loss is severe, and communication is difficult much of the time. The IW complains of tinnitus in both ears equally. The following tests were performed at this visit: Comprehensive Audiometry Threshold Evaluation and Speech Recognition; Tympanometry; Acoustic Reflex Testing; and Binocular Microscopy. The IW had a hearing test in 2002 that showed some hearing loss, but apparently, there was not a sufficient loss to require further evaluation at that time. Auditory test revealed bilateral neurosensory hearing loss with 4 K dip consistent with accumulative acoustic trauma. Left ear is significantly worse than the right ear. He is hearing at a socially borderline in the right ear and is hearing at a socially inadequate hearing level in the left ear. Hearing impairment in the right ear is 11.2%, 39.4% in the left ear, binaural 15.9% and wholeman is 5%. Speech Reception Threshold (SRT) is 20 dB right ear, and 35 dB left ear. Pure Tone Average (PTA) is 27 dB right ear and 45 dB in the left ear. The treating physician is requesting authorization for bilateral binaural CICS hearing aids and batteries.

IMR ISSUES, DECISIONS AND RATIONALES

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

Binaural CICS hearing aids and batteries: Upheld

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

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG); Head Section, Hearing Aids; <http://www.hearingloss.org/content/medicaid-regulations> and on <http://www.betterhearing.org/hearingpedia/hearing-aids/binaural-advantage>

Decision rationale: Pursuant to Medicaid (Indiana) regulations/Hearing Loss Association of America (see attached link), binaural (Bilateral) hearing aids/batteries are not medically necessary. If you have hearing loss in both ears (bilateral hearing loss), then you are most likely a candidate for two hearing aids, which is called binaural hearing aids. Indiana State Medicaid laws state "hearing aids are not covered for recipients with the unilateral pure tone average (500, 1000, 2000, or 3000 Hz) equal to, or less than, thirty (30) decibels". In this case, the medical records and audiogram submitted for review did not document medical necessity for bilateral hearing aids/with batteries at this time. The injured worker has a definite hearing loss. The injured worker's pure tone hearing loss is 27dB in the right ear and 45dB in the left ear (See page 122). Hearing aids are not covered for recipients with the unilateral pure tone average equal to, or less than, thirty (30) decibels. Consequently, binaural (bilateral) hearing aids/batteries are not medically necessary.