

Case Number:	CM14-0200161		
Date Assigned:	12/10/2014	Date of Injury:	10/28/2012
Decision Date:	01/28/2015	UR Denial Date:	11/11/2014
Priority:	Standard	Application Received:	12/01/2014

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 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 elbow pain reportedly associated with an industrial injury of October 28, 2012. Thus far, the applicant has been treated with the following: Analgesic medications; multiple level corticosteroid injections; unspecified amounts of physical therapy; unspecified amounts of acupuncture; topical agents; and reported return to regular work. In a Utilization Review Report dated November 11, 2014, the claims administrator denied a Game Ready device or continued cryotherapy device. The claims administrator stated that its decision was based on progress notes of September 4, 2014 and October 29, 2014. The applicant's attorney subsequently appealed. In a November 20, 2014 progress note, the applicant reported ongoing complaints of elbow pain. The applicant had been given an earlier elbow corticosteroid injection of September 4, 2014, it was acknowledged. The attending provider stated that both he and the applicant were intent on pursuing a diagnostic and operative elbow arthroscopy. The applicant was apparently performing activities of customary work as a waiter at [REDACTED]. The applicant had comorbidities including hypertension, dyslipidemia, heartburn, and epilepsy, it was noted. Well-preserved elbow range of motion was noted with persistent lateral elbow tenderness. Well-preserved grip strength was appreciated. The applicant was given another elbow corticosteroid injection. The remainder of the file was surveyed. There was no mention of the applicant's having received or having been scheduled for planned elbow surgery on earlier progress notes of January 2, 2014 and March 4, 2014.

IMR ISSUES, DECISIONS AND RATIONALES

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

Game Ready (2 weeks rental): Upheld

Claims Administrator guideline: Decision based on MTUS ACOEM Chapter 10 Elbow Disorders (Revised 2007). Decision based on Non-MTUS Citation ODG-TWC, Online Edition

MAXIMUS guideline: Decision based on MTUS ACOEM Chapter 10 Elbow Disorders (Revised 2007) Page(s): 27. Decision based on Non-MTUS Citation ACOEM Practice Guidelines, Third Edition, Hand, Wrist, and Forearm Chapter, Cryotherapy section.

Decision rationale: The device in question represents a form of continuous cooling device. While the MTUS Guideline in ACOEM Chapter 10, page 27 notes that at-home local applications of heat and cold are "recommended," by implication, ACOEM does not support high-tech, elaborate devices for delivering cryotherapy, as are being sought here in the form of a two-week Game Ready device rental. While the Third Edition ACOEM Guidelines do support a cooling blanket/postoperative cryotherapy for applicants undergoing a carpal tunnel release surgery, a procedure essentially analogous to the elbow arthroscopy seemingly being sought here, in this case, however, the applicant has neither received approval nor been scheduled for the also-contested elbow arthroscopy procedure. Therefore, the request is not medically necessary.