

Case Number:	CM14-0200435		
Date Assigned:	12/10/2014	Date of Injury:	02/17/2003
Decision Date:	02/23/2015	UR Denial Date:	11/25/2014
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. 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/Service. He/she is familiar with governing laws and regulations, including the strength of evidence hierarchy that applies to Independent Medical Review determinations.

The Expert Reviewer has the following credentials:

State(s) of Licensure: California

Certification(s)/Specialty: Physical Medicine & Rehabn, Pain Management

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 female with an original date of injury on 2/17/2003. The patient suffered injury to her back while lifting boxes at work. The industrially related diagnoses are post-laminectomy syndrome with history of lumbar dissectomies in 2002 and 2003, left partial foot drop due to lumbar radiculopathy, chronic central left sided lower back pain, chronic pain, and depression. An MRI on 12/2008 showed disc bulge at L4-L5, bilateral facet arthropathies, disc space narrowing with face arthropathies at L5-S1. The patient's treatment includes oral pain medications, physical therapy, wearing braces. The disputed issue is the request for spiral ankle foot orthotics. A utilization review dated 11/25/2014 has non-certified this request. The stated rationale for denial was the patient has used AFOs in the past inconsistently due to abrasion on her ankles caused by the brace. Though the request for a brace is appropriate for this patient, it is unlikely that she will use them consistently now to prevent falls. Therefore, the prospective request for one spiral AFO was non-certified.

IMR ISSUES, DECISIONS AND RATIONALES

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

1 spiral AFO (ankle-foot orthosis): Overturned

Claims Administrator guideline: Decision based on MTUS ACOEM Chapter 14 Ankle and Foot Complaints Page(s): 371-372, Chronic Pain Treatment Guidelines.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Braddom, Randall L. Chapter 15: "Lower Limb Orthotic Devices." Physical Medicine and Rehabilitation, 4th Edition.

Decision rationale: The ACOEM and Official Disability Guidelines do not address the use of AFOs in patients with foot drop. Instead, the textbook "Physical Medicine and Rehabilitation (4th Edition) by [REDACTED] is referenced. Ankle foot orthoses are standard of care for patient with foot drop. These orthotic devices assist in gait and can prevent falls which result in weakness of ankle dorsiflexion. The patient has had a recent fall due to foot drop leading to left ankle fracture. A progress note dated on 11/10/2014 states the patient has tried AFO in the past with good relief of left foot drop, however, she does not use it consistently due to the connection toward calf causing her abrasions on the ankle. A principle in orthotic management is to individualize each orthosis to each patient's unique limb contour, with reduction of pressure points which could result in pressure sores or discomfort with subsequent non-compliance. Therefore, a spiral AFO was requested for more comfort and to help prevent further falls. In the case of this injured worker, the AFO brace is indicated for future fall prevention. Prior AFO's had been trialed but were not comfortable. Because the patient has had a recent fall in the context of foot drop, the spiral AFO is medically necessary.