

Case Number:	CM15-0134105		
Date Assigned:	07/22/2015	Date of Injury:	05/13/2009
Decision Date:	08/18/2015	UR Denial Date:	06/12/2015
Priority:	Standard	Application Received:	07/10/2015

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: New York, Pennsylvania, Washington
 Certification(s)/Specialty: Internal Medicine, Geriatric Medicine

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 58 year old male who sustained an industrial injury on 5/13/09 when he was involved in a pulling incident resulting in injury to his left shoulder and low back. He has been unable to rid himself of pain long enough to regain his prior level of functioning or consider re-entering the open labor market (per documentation 5/8/14). He currently complains of right and left shoulder pain with limited range of motion; constant low back pain and stiffness with muscle spasms in the lower back and lower extremities. Straight leg raise elicits low back pain. He uses a walker for ambulation. Medications were hydrocodone, Tramadol, zolpidem. Diagnoses include tear rotator cuff and glenoid labrum, right shoulder; subacromial and subdeltoid bursitis, left shoulder; supraspinatus tendinitis, left shoulder; musculoligamentous sprain of the lumbar spine with lower extremity radiculitis; extruded disc fragment, L5-S1 displacing the S1 nerve root; disc bulges from L2-3 and L4-5; status post left shoulder arthroscopy with partial resection glenoid labrum followed by open repair rotator cuff. Diagnostics include MRI of the lumbar spine (7/23/13) showing abnormalities; MRI of the lumbar spine (7/23/14) showing disc bulging and osteophyte complex. In the progress note dated 5/18/15 the treating provider's plan of care includes a request for home health care assistance with activities of daily living including but not exclusive-with meals, bathing, dressing, attending doctor's appointments.

IMR ISSUES, DECISIONS AND RATIONALES

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

Home health care for assistance with ADLs (including but not exclusive with meals, bathing, dressing, attending doctor's appointments): Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation AETNA Clinical Policy Bulletins Home Health Aides, Official Disability Guidelines (ODG), Home health services.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Page(s): 51.

Decision rationale: Home health services are recommended only for otherwise recommended medical treatment for patients who are homebound, on a part-time or "intermittent" basis, generally up to no more than 35 hours per week. Medical treatment does not include homemaker services like shopping, cleaning, and laundry, and personal care given by home health aides like bathing, dressing, and using the bathroom when this is the only care needed. The records do not substantiate that the worker is homebound. He is ambulatory with a walker. The records do not support the medical necessity for home health assistance services for assistance with ADLs (including but not exclusive with meals, bathing, dressing, attending doctor's appointments).