

Case Number:	CM15-0137037		
Date Assigned:	07/27/2015	Date of Injury:	01/27/2014
Decision Date:	08/21/2015	UR Denial Date:	07/01/2015
Priority:	Standard	Application Received:	07/15/2015

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: California
Certification(s)/Specialty: Emergency 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 54 year old male who sustained an industrial injury on January 27, 2014. He has reported a metatarsal injury and has been diagnosed with healed plantar plate tear and second metatarsal shortening ostcotomy with hammertoe repair. Treatment has included surgery, medications, physical therapy, activity modifications, and modified work duty. Physical examination noted he had localized tenderness to the second metatarsal head. The digit was straight and parallel to the hallux and third digit. The injured worker had slight pain with range of motion. The foot orthoses fit the foot well. He showed an improved gait pattern with the foot orthoses inside the shoes. The treatment request included a new pair of lace up oxford shoes.

IMR ISSUES, DECISIONS AND RATIONALES

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

One (1) pair of lace-up oxford shoes: Upheld

Claims Administrator guideline: The Claims Administrator did not cite any medical evidence for its decision.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Ankle and Foot: Orthotic devices.

Decision rationale: MTUS Chronic pain and ACOEM Guidelines do not have any sections that relate to this topic. As per Official Disability Guidelines patient wearing foot orthotics may wear it in any type of shoe. There is no special shoes needed. Shoe buying decision is completely subjective. Generic non-medical or orthotic shoes are not medical devices. This is also an open ended and inappropriate request. An "oxford" shoe is a generic term for any formal lace up shoe and can range in price from cheap shoes bought at local discount stores cost less than \$50 dollars to formal leather shoes costing hundreds to thousands of dollars. A pair of lace up oxford shoes are not medically necessary.