

<b>Case Number:</b>	CM15-0166212		
<b>Date Assigned:</b>	09/04/2015	<b>Date of Injury:</b>	05/20/2004
<b>Decision Date:</b>	10/07/2015	<b>UR Denial Date:</b>	08/07/2015
<b>Priority:</b>	Standard	<b>Application Received:</b>	08/19/2015

### 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 female, who sustained an industrial injury on May 20, 2004. The injured worker was diagnosed as having major depressive disorder and pain disorder associated with psychological factors and general medical condition. Treatment to date has included surgery, psychological treatment and medication. A progress note dated June 29, 2015 provides the injured worker reports she is very happy transportation has been authorized through July 4, 2015. She is unable to drive or take transportation alone due to her pain disorder. Physical exam notes she appears agitated, cervical tenderness to palpation, decreased range of motion (ROM) and bilateral shoulder impingement. Previous exam on May 4, 2015 provides the injured worker's treating psychologist's opinion is she cannot tolerate the stresses of driving. The plan includes extension of transportation. A letter from psychologist dated 8/18/15 concerning denial of transport was reviewed.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Non-Medical Transportation Services 72 hours (6 hours week x 12 weeks):** Overturned

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

in Workers Compensation, Online Edition, 2015, Knee & Leg (Acute & Chronic), Transportation (to & from appointments).

**MAXIMUS guideline:** The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation [http://www.dhcs.ca.gov/services/medical/Documents/ManCriteria\\_32\\_MedTrans.htm](http://www.dhcs.ca.gov/services/medical/Documents/ManCriteria_32_MedTrans.htm).

**Decision rationale:** There is a letter from worker's compensation judge concerning judgment for need for transport for this patient. However, Independent Medical Review only can and will make conclusions based entirely on the medical need of the patient and not on the legal issues currently under review by the insurance company, courts or lawyers. MTUS Chronic pain and ACOEM Guidelines do have any sections that relate to this topic. As per California Department of Health Care Services manual, patient meets criteria for nonemergency medical transportation. Psychologist has documented significant issues that support need for transportation to multiple medical appointments. It is clear that patient cannot drive and due to issues with pain and geography, using public transportation is exceedingly difficult if not impossible for patient. Patient's condition is chronic and not likely to suddenly improve therefore 3 months of transport is currently appropriate. The documentation provided does support medical need for transportation. Medical Transportation to and from clinic appointments 6 hours a week for 12 weeks is medically necessary.