

Case Number:	CM15-0182920		
Date Assigned:	09/23/2015	Date of Injury:	08/16/2005
Decision Date:	11/06/2015	UR Denial Date:	08/25/2015
Priority:	Standard	Application Received:	09/17/2015

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: Texas, New York, California

Certification(s)/Specialty: Preventive Medicine, Occupational 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 applicant is a represented 37-year-old who has filed a claim for chronic neck, low back, and shoulder pain reportedly associated with an industrial injury of August 16, 2005. In a Utilization Review report dated August 24, 2015, the claims administrator failed to approve a request for transportation to and from a laundromat and/or grocery store once a week. The claims administrator referenced a July 17, 2015 office visit in its determination. The applicant's attorney subsequently appealed. On a July 1, 2015 office visit, the applicant reported ongoing complaints of low back and neck pain, highly variable, 4-8/10. The note was difficult to follow as it mingled historical issues with current issues. The applicant was apparently working as a telemarketer at a rate of 3-1/2 hours a day, 5 days a week, it was reported. It was not stated whether the applicant was working at a remote job site or working from home. The attending provider then contended that the applicant needed non-medical transportation to obtain groceries and perform laundry. The attending provider contended that the applicant did not have access to transportation. The attending provider recommended that the applicant attend a functional restoration program but stated that the applicant was unable to attend the same owing to a conflict with work duties. The attending provider stated that the applicant had recently returned to the workplace some 2 months prior after a 10-year absence from the same. The attending provider stated that it would be advisable for the applicant to continue employment but, somewhat incongruously, placed the applicant off of work, on total temporary disability, for 6 weeks toward the bottom of the note. The attending provider stated that the applicant would be forced to wash laundry at home by hand if the claims administrator did not furnish him with transportation to and from a laundromat.

IMR ISSUES, DECISIONS AND RATIONALES

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

Transportation for grocery shopping and laundry once weekly as related to neck, left shoulder and low back: Upheld

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 Index, 13th Edition (web) 2015 Knee and Leg Chapter Transportation.

MAXIMUS guideline: Decision based on MTUS General Approaches 2004, Section(s): Cornerstones of Disability Prevention and Management. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Knee, Transportation (to & from appointments).

Decision rationale: No, the request for transportation to and from a laundromat and grocery store once a week was not medically necessary, medically appropriate, or indicated here. While the MTUS does not specifically address the topic of transportation, the MTUS guideline in ACOEM Chapter 5, page 83 does stipulate that, to achieve functional recovery, applicants must assume certain responsibilities, one of which includes keeping appointments. Thus, the MTUS Guideline in ACOEM Chapter 5, page 83, by implication, stipulates that attending appointments and, by analogy, the transportation at issue, are matters of applicant responsibility as opposed to matters of payer responsibility. While ODG's Knee and Leg Chapter Transportation topic does endorse medically necessary transportation to appointments in the same community for applicants with disability preventing them from self-transport, here, however, the attending provider himself acknowledged that the transportation request represented a request for non-medical transportation to and from a laundromat and/or grocery store. The attending provider acknowledged, moreover, on the July 1, 2015 office visit at issue that the applicant was able to ambulate with the aid of a cane and further suggested that the request for transportation to and from a laundromat and grocery store was, mostly, a matter of convenience for the applicant. The request was initiated not owing to any medical impairment but, rather owing to the applicant's seeming lack of a car, the treating provider suggested on July 1, 2015. Therefore, the request is not medically necessary.