

Case Number:	CM15-0188254		
Date Assigned:	09/30/2015	Date of Injury:	11/26/2012
Decision Date:	11/09/2015	UR Denial Date:	09/14/2015
Priority:	Standard	Application Received:	09/24/2015

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: Arizona, California
 Certification(s)/Specialty: Family Practice

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 11-26-2012. Medical records indicate the worker is undergoing treatment for lumbar degenerative disc disease, left lower extremity radiculopathy, chronic pain syndrome and neuropathic pain syndrome of the left lower extremity with dystonia. A recent progress report dated 8-19-2015, reported the injured worker complained of low back pain, left hip pain and left knee pain. Physical examination revealed an abnormal gait, negative straight leg raise test, left leg coolness to touch and a left inverted ankle. Treatment to date has included physical therapy, acupuncture, TENS (transcutaneous electrical nerve stimulation) and medication management. The physician is requesting a functional capacity evaluation for 2 weeks-10 days-60 hours. On 9-14-2015, the Utilization Review noncertified the request for a functional restoration program 2 weeks-10 days-60 hours.

IMR ISSUES, DECISIONS AND RATIONALES

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

FCE 2 weeks, 10 days, 60 hours: Overturned

Claims Administrator guideline: Decision based on MTUS Chronic Pain Medical Treatment 2009.

MAXIMUS guideline: Decision based on MTUS Neck and Upper Back Complaints 2004, Section(s): Work-Relatedness, Initial Care, Follow-up Visits, and Chronic Pain Medical Treatment 2009, Section(s): Chronic pain programs (functional restoration programs), Functional improvement measures.

Decision rationale: According to the guidelines, outpatient pain rehabilitation programs may be considered medically necessary when all of the following criteria are met: (1) An adequate and thorough evaluation has been made, including baseline functional testing so follow-up with the same test can note functional improvement; (2) Previous methods of treating chronic pain have been unsuccessful and there is an absence of other options likely to result in significant clinical improvement; (3) The patient has a significant loss of ability to function independently resulting from the chronic pain; (4) The patient is not a candidate where surgery or other treatments would clearly be warranted (if a goal of treatment is to prevent or avoid controversial or optional surgery, a trial of 10 visits may be implemented to assess whether surgery may be avoided); (5) The patient exhibits motivation to change, and is willing to forgo secondary gains, including disability payments to effect this change; & (6) Negative predictors of success above have been addressed. The claimant has a history and desire to improve and return to work. The claimant has failed other conservative measures. The request for the trial of 10 sessions at functional restoration program is medically necessary. (The actual request is a functional restoration program rather than a functional capacity evaluation).