

Case Number:	CM15-0195834		
Date Assigned:	10/09/2015	Date of Injury:	06/10/2015
Decision Date:	11/24/2015	UR Denial Date:	09/01/2015
Priority:	Standard	Application Received:	10/05/2015

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, Illinois

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:

This 36 year old woman sustained an industrial injury on 6-10-2015. Evaluations include an undated CT scan showing delayed union of fifth metatarsal. Diagnoses include left foot fifth metatarsal fracture in delayed union. Treatment has included oral medications. Physician notes dated 8-27-2015 show complaints of left foot fracture. The physical examination shows a slight limp with a CAM boot, dorsalis pedis and posterior tibia pulses are 2 out of 4 bilaterally with warmth, vascular perfusion is noted to be normal, neurological status is intact, no tenderness to palpation was noted, strength is normal. Range of motion is dorsiflexion 15 degrees, plantar flexion 15 degrees in the metatarsal joint, full range of motion in the ankle joint is recorded. Recommendations include ultrasound bone stimulator and follow up in two weeks. Utilization Review denied a request for ultrasound bone stimulator on 9-1-2015.

IMR ISSUES, DECISIONS AND RATIONALES

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

Ultrasound bone growth stimulator: 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), Ankle & Foot (Acute & Chronic): Bone growth stimulators, ultrasound - Criteria for the use of Ultrasound fracture healing.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation American Orthopedic Foot and Ankle Society FootCareMD Fifth Metatarsal Fracture Surgery <http://www.aofas.org/footcaremd/treatments/Pages/Fifth-Metatarsal-Fracture-Surgery.aspx>.

Decision rationale: The injured worker sustained a work related injury on 6-10-2015. The medical records provided indicate the diagnosis of left foot fifth metatarsal fracture in delayed union. Treatments have included oral medications, CAM boot, activity modification. The medical records provided for review do indicate a medical necessity for: Ultrasound bone growth stimulator. The MTUS is silent on Ultrasound bone growth stimulator, but the official Disability Guidelines states that Ultrasound bone growth is recommended as an option for non-union of long bone fractures or fresh fractures with significant risk factors. Also, limited studies show that patients who received post-operative low intensity ultrasound following ankle fusion showed a statistically significant faster healing rate on plain radiographs at 9 weeks and CT scan at 12 weeks. A 100% fusion rate was noted. The medical records indicate the injured worker was non-weight bearing after more than 3 months of 5th metatarsal fracture; x-ray revealed delayed fracture healing. Based on the nature of the injured workers job, and the fact that the American Foot and Ankle Society expects individuals with 5th metatarsal fracture to return to active duty (including sports) within the 3rd and 4th month after fracture, the requested treatment is medically necessary.