

Case Number:	CM15-0201893		
Date Assigned:	10/16/2015	Date of Injury:	03/16/1995
Decision Date:	11/25/2015	UR Denial Date:	10/06/2015
Priority:	Standard	Application Received:	10/14/2015

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: Physical Medicine & Rehabilitation

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 70-year-old female, with a reported date of injury of 03-16-1995. The diagnoses include right-sided chronic foot drop secondary to previous low back surgery, and right foot pain and deformity secondary to right-sided foot drop. Treatments and evaluation to date have included Ibuprofen, AFO (ankle foot orthosis) brace, Tramadol, Naprosyn, Prilosec, and Flexeril. The diagnostic studies to date have included a urine drug screen on 08-24-2015 with consistent findings. The progress report dated 08-24-2015 indicates that the injured worker reported some muscle spasm to the low back, with radiation down her right leg. She continued to have right foot drop with equinus deformity status post remote lumbar surgery. The objective findings include use of an AFO for the right ankle; moderate swelling and crepitus of the both knees, right greater than left; and persistent left lateral ankle tenderness from a recent separate industrial injury. It was noted that a urine drug screen was performed on the day of the visit, and the injured worker was "negative for all medications, which is consistent with her current drug regimen". The treatment plan included an outstanding request for aquatic therapy visits. On 06-24-2015, it was noted that aquatic therapy was requested as the injured worker had flare-ups in low back pain. The injured worker was working with limitations. The treating physician requested eight (8) sessions of aquatic therapy for the right foot. On 10-16-2015, Utilization Review (UR) non-certified the request for eight (8) sessions of aquatic therapy for the right foot.

IMR ISSUES, DECISIONS AND RATIONALES

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

8 sessions of Aquatic Therapy for the Right Foot: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Medical Treatment 2009, Section(s): Aquatic therapy.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Medical Treatment 2009, Section(s): Aquatic therapy.

Decision rationale: Aquatic Therapy does not seem appropriate as the patient has received land-based Physical therapy. There is no records indicating intolerance of treatment, incapable of making same gains with land-based program nor is there any medical diagnosis or indication to require Aqua therapy at this time. The patient is not status-post recent lumbar or knee surgery nor is there diagnosis of morbid obesity requiring gentle aquatic rehabilitation with passive modalities and should have the knowledge to continue with functional improvement with a Home exercise program. The patient has completed formal sessions of PT and there is nothing submitted to indicate functional improvement from treatment already rendered. There is no report of new acute injuries that would require a change in the functional restoration program. There is no report of acute flare-up and the patient has been instructed on a home exercise program for this injury. Per Guidelines, physical therapy is considered medically necessary when the services require the judgment, knowledge, and skills of a qualified physical therapist due to the complexity and sophistication of the therapy and the physical condition of the patient. However, there is no clear measurable evidence of progress with the PT treatment already rendered including milestones of increased ROM, strength, and functional capacity. Review of submitted physician reports show no evidence of functional benefit, unchanged chronic symptom complaints, clinical findings, and functional status. There is no evidence documenting functional baseline with clear goals to be reached and the patient striving to reach those goals. The Chronic Pain Guidelines allow for visits of physical therapy with fading of treatment to an independent self-directed home program. Submitted reports have not adequately demonstrated the indication to support for the pool therapy. The 8 sessions of Aquatic Therapy for the Right Foot is not medically necessary and appropriate.