

Case Number:	CM15-0202321		
Date Assigned:	10/19/2015	Date of Injury:	07/30/2014
Decision Date:	12/07/2015	UR Denial Date:	10/08/2015
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: Texas, Florida, 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 injured worker is a 32 year old male who sustained an industrial injury on 7-30-14. A requested supplemental report (9-30-15) notes lumbar fusion surgery has been authorized however, one of the risks involved with an anterior lumbar discectomy and interbody fusion with instrumentation at L5-S1 includes the risk of retrograde ejaculation. The injured worker is reported as having no children, is 32 years old and that he has a desire to have children in the future. It is noted, as the risk of retrograde ejaculation could make him sterile as a result of this surgery, the requested treatment is for sperm bank storage for a period of 6 months to allow time post-operatively to make sure complications such as retrograde ejaculation has not developed. A request for authorization is dated 10-1-15, noting a diagnosis of lumbar disc degeneration. The requested treatment of six months of sperm bank storage was non-certified on 10-8-15.

IMR ISSUES, DECISIONS AND RATIONALES

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

Six (6) months of sperm bank storage: Overturned

Claims Administrator guideline: The Claims Administrator did not cite any medical evidence for its decision.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Spine J. 2015 May 1; 15(5): 1118-32. Anterior lumbar spine surgery: a systematic review and meta-analysis of associated complications. Bateman DK et al.

Decision rationale: The injured worker is a 32 year old male who sustained an industrial injury on 7-30-14. A requested supplemental report (9-30-15) notes lumbar fusion surgery has been authorized however, one of the risks involved with an anterior lumbar discectomy and interbody fusion with instrumentation at L5-S1 includes the risk of retrograde ejaculation. Sperm specimen storage therefore was requested. It is noted that the initial utilization review non-certified the request due to the lack of guidelines addressing this issue. It is true that the MTUS and ODG are both silent on this issue of sperm storage as a protection from post-operative infertility. The medical literature in the National Library of Medicine is scant, but does provide some guidance. Per Spine J. 2015 May 1; 15 (5): 1118-32. Anterior lumbar spine surgery: a systematic review and meta-analysis of associated complications, the most common complications reported were venous injury (3.2%), retrograde ejaculation (2.7%), neurologic injury (2%), prosthesis related (2%), postoperative ileus (1.4%), superficial infection (1%), and others (1.3%). The article was silent on how long it took to determine if the complication occurred. Although the possibility of retrograde ejaculation is low, it is not insignificant. It appears clinically prudent to provide the claimant every precautionary benefit to permit the 6 month sperm storage, until it can be verified that this complication did not occur. I would endorse reversing the prior determination, and clinically certifying this request. Therefore, the request for 6 month Sperm Bank Storage is medically necessary.