

Case Number:	CM15-0222814		
Date Assigned:	11/18/2015	Date of Injury:	11/11/2003
Decision Date:	12/30/2015	UR Denial Date:	11/09/2015
Priority:	Standard	Application Received:	11/12/2015

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:

This 42 year old female sustained an industrial injury on 11-11-03. Documentation indicated that the injured worker was receiving treatment for lumbar herniated nucleus pulposus with radiculopathy, left ankle fibular fracture and anterior talofibular ligament instability. Previous treatment included left ankle arthroscopy (undated), physical therapy, home exercise and medications. In a PR-2 dated 10-28-15, the injured worker complained of worsening left medial ankle pain. Physical exam was remarkable for tenderness to palpation to the antero-lateral ankle with a small effusion. X-rays of the left ankle (10-27-15) showed medial soft tissue swelling with calcification from either an old distal medial malleolar fracture or calcification of the ligament and calcaneal spur and calcification within the region of the insertion of the Achilles tendon. The physician was requesting an orthopedic consultation for ankle surgery. On 11-9-15, Utilization Review non-certified a request for one consultation with orthopedic.

IMR ISSUES, DECISIONS AND RATIONALES

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

1 consultation with orthopedic: Upheld

Claims Administrator guideline: Decision based on MTUS Ankle and Foot Complaints 2004, Section(s): General Approach, Initial Assessment, Surgical Considerations.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation American College of Occupational and Environmental Medicine (ACOEM), 2nd Edition, (2004) Chapter 7, page 127.

Decision rationale: This claimant was injured in 2003. There was at that time lumbar disc, left ankle fracture, and anterior talofibular instability. There was a past arthroscopy. There is worsening pain. X-rays showed swelling and calcification. The consultation was to consider ankle surgery. ACOEM Guidelines, Chapter 7, page 127, state that the occupational health practitioner may refer to other specialists if a diagnosis is uncertain or extremely complex, when psychosocial factors are present, or when the plan or course of care may benefit from additional expertise. A referral may be for consultation to aid in the diagnosis, prognosis, therapeutic management, determination of medical stability, and permanent residual loss and/or the examinee's fitness for return to work. A consultant is usually asked to act in an advisory capacity, but may sometimes take full responsibility for investigation and/or treatment of an examinee or patient. In this case, it is unclear that there is an orthopedic surgery-correctable lesion. Also, this request for the consult fails to specify the concerns to be addressed in the independent or expert assessment, including the relevant medical and non-medical issues, diagnosis, causal relationship, prognosis, temporary or permanent impairment, work capability, clinical management, and treatment options. Therefore, the request is not medically necessary.