

Case Number:	CM15-0030285		
Date Assigned:	02/23/2015	Date of Injury:	05/08/2013
Decision Date:	04/01/2015	UR Denial Date:	01/13/2015
Priority:	Standard	Application Received:	02/18/2015

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: Indiana

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 47 year old male, who sustained an industrial injury on 05/08/2013. Medical records provided by the treating physician did not indicate the injured worker's mechanism of injury. Diagnoses include chronic non-specific low back pain, mood adjustment disorder secondary to chronic pain, lumbar spine neuritis or radiculitis, lumbar or lumbosacral disc degeneration, and post laminectomy syndrome of lumbar region. Treatment to date has included use of a transcutaneous electrical nerve stimulation unit, medication regimen, and psychological evaluation. In a progress note dated 12/16/2014 the treating provider reports back pain described as stabbing, achy, sharp, throbbing, and severe. The treating physician requested a Functional Restoration Program noting that this program would help decrease his pain, increase range of motion to the lumbar spine, and increase tolerance of activities of daily living. On 01/13/2015 Utilization Review non-certified the requested treatment of Functional Restoration Program two times five, noting the California Medical Treatment Utilization Schedule, Chronic Pain Programs (functional restoration programs) and Chronic Pain Programs, Intensity.

IMR ISSUES, DECISIONS AND RATIONALES

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

Functional Restoration Program 2x5: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Chronic pain programs (functional restoration programs). Decision based on Non-MTUS Citation American College of Occupational and Environmental Medicine (ACOEM), Official Disability Guidelines (ODG)-TWC.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Functional Restoration Program Page(s): 30-34, 42, 49.

Decision rationale: MTUS states regarding the general use of multidisciplinary pain management programs: (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 current request is for a functional restoration program. While the guidelines address adequacy of entry into a program, a few criteria are important to note prior to an evaluation. The treating physician does not note that the patient has failed initial surgical attempts and is currently not a surgical candidate, which would support an evaluation for entry into a program. Also, the treating physician does not adequately document a significant loss of ability to function due to chronic pain. Subject pain is documented, but medical records related to the request for the functional restoration program evaluation do not detail what abilities are lost specifically due to pain. As such, the request for Functional Restoration Program is not medically necessary at this time.