

<b>Case Number:</b>	CM15-0044236		
<b>Date Assigned:</b>	03/16/2015	<b>Date of Injury:</b>	12/17/2008
<b>Decision Date:</b>	04/17/2015	<b>UR Denial Date:</b>	03/06/2015
<b>Priority:</b>	Standard	<b>Application Received:</b>	03/09/2015

### 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, Indiana, New York  
Certification(s)/Specialty: Internal 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 25 year old female who sustained an industrial injury on December 17, 2008. She has reported low back pain and bilateral lower extremity pain and has been diagnosed with lumbosacral disc injury, lumbosacral radiculopathy, and lumbosacral sprain/strain injury. Treatment has included medications, TENS unit, heat, ice, and electroacupuncture. Currently the injured worker had lumbosacral tenderness to palpation with myofascial tightness. There was pain with range of motion. There was a positive straight leg test on the right side. The treatment request included 1 TENS patch as an outpatient.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**TENS (transcutaneous electrical nerve stimulation) patch, outpatient:** Upheld

**Claims Administrator guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Criteria for the use of TENS Page(s): 114-117.

**MAXIMUS guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines TENS Unit Page(s): 116. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Pain section, TENS Unit.

**Decision rationale:** Pursuant to the Chronic Pain Medical Treatment Guidelines and the Official Disability Guidelines, TENS patch outpatient is not medically necessary. TENS is not recommended as a primary treatment modality, but a one-month home-based trial may be considered as a noninvasive conservative option, if used as an adjunct to a program of evidence-based functional restoration, including reductions in medication use. The Official Disability Guidelines enumerate the criteria for the use of TENS. The criteria include, but are not limited to, a one month trial period of the TENS trial should be documented with documentation of how often the unit was used as well as outcomes in terms of pain relief and function; there is evidence that appropriate pain modalities have been tried and failed; other ongoing pain treatment should be documented during the trial including medication usage; specific short and long-term goals should be submitted; etc. See the guidelines for additional details. In this case, the injured worker's working diagnoses are lumbosacral disc injury; lumbosacral radiculopathy; and lumbosacral sprain/strain injury. Progress note dated July 19, 2013 shows the injured worker is using a TENS unit for pain control. In 2014, the injured worker is still using the TENS unit. The most recent progress note in the medical record dated February 20, 2015 states the injured worker receives beneficial results from the TENS unit. However, there is no documentation with ongoing progress notes indicating objective functional improvement with TENS use. There are no short and long-term goals regarding TENS use. There is no documentation with a TENS trial in the record indicating how often the unit was used and outcomes in terms of pain relief and function. Consequently, absent clinical documentation with objective functional improvement and short and long-term goals with TENS use, TENS patch outpatient is not medically necessary.