

<b>Case Number:</b>	CM15-0045308		
<b>Date Assigned:</b>	03/17/2015	<b>Date of Injury:</b>	10/15/2009
<b>Decision Date:</b>	04/17/2015	<b>UR Denial Date:</b>	03/02/2015
<b>Priority:</b>	Standard	<b>Application Received:</b>	03/10/2015

### 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, Pain Management

### 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 60-year-old male, who sustained an industrial injury on 10/15/09. He reported upper back, neck and hand. The injured worker was diagnosed as having cervical spine sprain/strain with myofascitis and radiculopathy, bilateral shoulder internal derangement and lumbosacral spine sprain/strain with myofascitis and radiculopathy. Treatment to date has included oral medications, transdermal medications, physical therapy, home exercise program and cervical discectomy with bilateral foraminotomy at C4-5. Currently, the injured worker complains of neck, low back and bilateral shoulder pain. On physical exam, decreased range of motion and tenderness to palpation is noted over cervical spine and lumbar spine with decreased range of motion of bilateral shoulders. The injured worker states the transdermal medications work better. The treatment plan included functional improvement measurement, refill of transdermal medications and continuation of home exercise program.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Functional Improvement Measurement with Functional Improvement Measures using NIOSH Testing of the Bilateral Shoulders, Cervical and Lumbar Spine for 30 days: Upheld**

**Claims Administrator guideline:** Decision based on MTUS ACOEM Chapter 5 Cornerstones of Disability Prevention and Management Page(s): 81.

**MAXIMUS guideline:** Decision based on MTUS ACOEM Chapter 1 Prevention Page(s): 12. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Fitness for Duty Chapter, Functional Capacity Evaluation.

**Decision rationale:** Regarding request for functional improvement measures, Occupational Medicine Practice Guidelines state that there is not good evidence that functional capacity evaluations are correlated with a lower frequency of health complaints or injuries. ODG states that functional capacity evaluations are recommended prior to admission to a work hardening program. The criteria for the use of a functional capacity evaluation includes case management being hampered by complex issues such as prior unsuccessful return to work attempts, conflicting medical reporting on precautions and/or fitness for modified job, or injuries that require detailed explanation of a worker's abilities. Additionally, guidelines recommend that the patient be close to or at maximum medical improvement with all key medical reports secured and additional/secondary conditions clarified. Within the documentation available for review, there is no indication that there has been prior unsuccessful return to work attempts, conflicting medical reporting, or injuries that would require detailed exploration. Additionally, it is unclear why the requesting physician would be unable to assess the patient's function as part of a normal history and physical examination. In the absence of clarity regarding those issues, the currently requested functional improvement measures are not medically necessary.