

Case Number:	CM15-0084395		
Date Assigned:	05/06/2015	Date of Injury:	08/20/2004
Decision Date:	06/05/2015	UR Denial Date:	04/22/2015
Priority:	Standard	Application Received:	05/01/2015

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: Ohio, West Virginia

Certification(s)/Specialty: Preventive Medicine, Occupational Medicine, Medical Toxicology

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 56-year-old female, with a reported date of injury of 08/20/2004. The diagnoses include chronic pain syndrome, lumbar degenerative disc disease, and thoracolumbar spine musculoligamentous sprain/strain with right lower extremity radiculitis. Treatments to date have included oral medications and an MRI of the lumbar spine on 11/10/2004. The progress report dated 04/16/2015 is handwritten and somewhat illegible. The report indicates that the injured worker experienced increased episodes of headaches and involuntary clenching of her teeth. She also reported pain and weakness at the lumbar spine. The injured worker was unable to perform her activities of daily living, such as cooking, cleaning, dressing self, and bathing. She rated her pain 8 out of 10. The objective findings include tenderness of the bilateral lumbar paravertebral muscles and lumbar spinal junction with spasm and guarding, decreased lumbar range of motion with increased pain in all planes, and negative straight leg raise and increased low back pain. The treating physician requested home care assistance 8 hours a day, seven days a week for six months to help the injured worker cook, clean, do laundry, grocery shop, and other household chores. On 04/22/2015, Utilization Review (UR) denied the request and noted that the guidelines indicate that medical treatment does not include homemaker services and personal care given by home health aides when this is the only care needed. The Official Disability Guidelines were cited.

IMR ISSUES, DECISIONS AND RATIONALES

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

Home Care Assistance, 8 hours per day, 7 days a week, 6 months: Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines: Pain chapter.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Home Health Services Page(s): 51. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Pain, Home Health Services.

Decision rationale: According to MTUS and ODG Home Health Services section, "Recommended only for otherwise recommended medical treatment for patients who are homebound, on a part-time or "intermittent" basis, generally up to no more than 35 hours per week. Medical treatment does not include homemaker services like shopping, cleaning, and laundry, and personal care given by home health aides like bathing, dressing, and using the bathroom when this is the only care needed". The treating physician specifically requested the home health care for the reasons mentioned prior and does not detail what specific home medical services the patient should receive. As such, the request for home health care is not medically necessary.