

Case Number:	CM14-0160502		
Date Assigned:	10/06/2014	Date of Injury:	10/08/2013
Decision Date:	10/31/2014	UR Denial Date:	09/26/2014
Priority:	Standard	Application Received:	09/30/2014

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. The expert reviewer is Board Certified in Orthopedic Surgery, and is licensed to practice in California. 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/services. He/she is familiar with governing laws and regulations, including the strength of evidence hierarchy that applies to Independent Medical Review determinations.

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 claimant is a 43 year old who sustained a vocational injury on 10/8/13 while lifting boxes at work. The medical records provided for review documented that the claimant underwent right shoulder arthroscopic superior labral repair of the right shoulder, arthroscopic rotator cuff repair, arthroscopic subacromial decompression of the right shoulder, arthroscopic distal clavicle excision and arthroscopic debridement of the glenohumeral synovitis and subacromial bursitis on 06/19/14. It was also documented that the claimant has had extensive postoperative physical therapy and had decreased the use of pain medication to Tylenol but continued to have pain in the front and back of the shoulder. The claimant was given the diagnosis of rotator cuff tear status, post superior labrum anterior and posterior repair. The previous Utilization Review determination authorized consultation with an orthopedic specialist for a second opinion, based on the claimant's persistent complaints of pain and abnormal objective findings on examination, despite exhaustive postoperative conservative treatment. This review is for a request for treatment with an orthopedic (second opinion) for the right shoulder.

IMR ISSUES, DECISIONS AND RATIONALES

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

Treatment with an orthopedic (second opinion) for the right shoulder: Overturned

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation ACOEM Practice Guidelines, Chapter 7:

Independent Medical Examinations and Consultations, pages 127 and on the Non-MTUS Official Disability Guidelines (ODG), Office Visits

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: The California ACOEM Guidelines state that second opinion and consultations are typically performed to aid in the diagnosis, prognosis, and therapeutic management, determination of medical stability, a permanent residual loss and examination of fitness for return to work. The consultant is usually asked to act in an advisory capacity and may sometimes take full responsibility for investigation and treatment or exam of the patient. Given the fact that the second opinion may feel comfortable treating the claimant's ongoing subjective complaints and abnormal physical exam objective findings, following the previous surgical intervention, the California ACOEM Guidelines would support the request for a second opinion as an orthopedic specialist that may subsequently treat the claimant if it is medically necessary. Therefore, based on the documentation presented for review and in accordance with California ACOEM Guidelines, the requested treatment with an orthopedic (second opinion) for the right shoulder would be considered medically reasonable.