

Case Number:	CM14-0161109		
Date Assigned:	10/06/2014	Date of Injury:	08/24/2012
Decision Date:	10/30/2014	UR Denial Date:	08/22/2014
Priority:	Standard	Application Received:	10/01/2014

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 Occupational Medicine 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:

According to the records made available for review, this is a 55-year-old male with a 8/24/12 date of injury, and status post hernia repairs. At the time (8/22/14) of request for authorization for Qualified Functional Capacity Evaluation, there is documentation of subjective (cervical spine pain, moderate, lumbar spine moderate pain, associated numbness down both legs extending to the toes, constant moderate abdomen pain, and stress and nervousness) and objective (cervical spine spasms and tenderness, positive shoulder depression bilaterally, decreased left and right triceps reflexes; lumbar spine spasm and tenderness, positive Kemp's, straight leg raise, Yeoman's, and decreased patellar reflexes bilaterally and right Achilles reflex) findings, current diagnoses (lumbar disc displacement with myelopathy, cervical disc herniation without myelopathy, aftercare surgery of the musculoskeletal system, and anxiety), and treatment to date (acupuncture, medications and activity modification). There is no documentation indicating case management is hampered by complex issues (prior unsuccessful RTW attempts, conflicting medical reporting on precautions and/or fitness for modified job, injuries that require detailed exploration of a worker's abilities); that timing is appropriate (Close to or at MMI/all key medical reports secured), and that additional/secondary conditions have been clarified.

IMR ISSUES, DECISIONS AND RATIONALES

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

Qualified Functional Capacity Evaluation: Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation ACOEM Guidelines Chapter 7 Independent Medical Examinations and Consultations

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) Independent Medical Examinations and Consultations, page(s) 137-138; Official Disability Guidelines (ODG) Fitness For Duty, Functional capacity evaluation (FCE)

Decision rationale: MTUS reference to ACOEM guidelines identifies that functional capacity evaluations (FCE) may establish physical abilities and also facilitate the examinee/employer relationship for return to work. ODG identifies documentation indicating case management is hampered by complex issues (prior unsuccessful RTW attempts, conflicting medical reporting on precautions and/or fitness for modified job, injuries that require detailed exploration of a worker's abilities); and timing is appropriate (Close to or at MMI/all key medical reports secured and additional/secondary conditions have been clarified), as criteria necessary to support the medical necessity of a functional capacity evaluation. Within the medical information available for review, there is documentation of diagnoses of lumbar disc displacement with myelopathy, cervical disc herniation without myelopathy, aftercare surgery of the musculoskeletal system, and anxiety. However, there is no documentation indicating case management is hampered by complex issues (prior unsuccessful RTW attempts, conflicting medical reporting on precautions and/or fitness for modified job, injuries that require detailed exploration of a worker's abilities); that timing is appropriate (Close to or at MMI/all key medical reports secured), and that additional/secondary conditions have been clarified. Therefore, based on guidelines and a review of the evidence, the request for Qualified Functional Capacity Evaluation is not medically necessary.