

<b>Case Number:</b>	CM14-0168064		
<b>Date Assigned:</b>	10/15/2014	<b>Date of Injury:</b>	10/28/2006
<b>Decision Date:</b>	11/18/2014	<b>UR Denial Date:</b>	09/22/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	10/13/2014

### 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 52-year-old male with a 10/28/06 date of injury. At the time (9/22/14) of Decision for Home Care by a Skilled LVN 24/7 X 3mos, there is documentation of subjective (neck pain and radiating low back pain) and objective (decreased motor strength in the upper and lower extremities, decreased range of motion of the cervical spine and lumbar spine, decreased sensation at L4-S1 dermatome, weakness in the lower extremities bilaterally from L4-S1, decreased sensation at L4-S1, and decreased range of motion of the hip and knee) findings, current diagnoses (status post posterior lumbar spine interbody fusion at L5-S1, left knee medial meniscal tear, chronic pain syndrome, cervical radiculopathy, and anxiety and depression due to chronic pain), and treatment to date (physical therapy and medications). There is no documentation that the injured worker requires recommended medical treatment (where homemaker services like shopping, cleaning, and laundry, and personal care given by home health aides like bathing, dressing, and using the bathroom is not the only care needed) and the injured worker is homebound on a part-time or intermittent basis.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Home Care by a Skilled LVN 24/7 X 3mos:** Upheld

**Claims Administrator guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Home Health Services Page(s): 51.

**MAXIMUS guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Home Health Services Page(s): 51.

**Decision rationale:** MTUS Chronic Pain Medical Treatment Guidelines identifies documentation that the patient requires recommended medical treatment (where homemaker services like shopping, cleaning, and laundry, and personal care given by home health aides like bathing, dressing, and using the bathroom is not the only care needed) and the patient is homebound on a part-time or intermittent basis, as criteria necessary to support the medical necessity of home health services. In addition, MTUS Chronic Pain Medical Treatment Guidelines identifies documentation of no more than 35 hours per week. Within the medical information available for review, there is documentation of diagnoses of status post posterior lumbar spine interbody fusion at L5-S1, left knee medial meniscal tear, chronic pain syndrome, cervical radiculopathy, and anxiety and depression due to chronic pain. However, there is no documentation that the injured worker requires recommended medical treatment (where homemaker services like shopping, cleaning, and laundry, and personal care given by home health aides like bathing, dressing, and using the bathroom is not the only care needed) and the injured worker is homebound on a part-time or intermittent basis. In addition, given the request Home Care by a Skilled LVN 24/7 X 3mos, the request exceeds guidelines (no more than 35 hours per week) Therefore, based on guidelines and a review of the evidence, the request Home Care by a Skilled LVN 24/7 X 3mos is not medically necessary.