

Case Number:	CM14-0179575		
Date Assigned:	11/04/2014	Date of Injury:	10/21/2013
Decision Date:	12/09/2014	UR Denial Date:	10/28/2014
Priority:	Standard	Application Received:	10/29/2014

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 Family 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:

This is a 44-year-old female patient who reported an industrial injury to the lumbar spine and right knee on 10/21/2013, over one (1) year ago, attributed to the performance of her usual and customary job tasks as a police officer. The initial orthopedic evaluation of the patient reported that the patient complained of right knee and lower back pain that was attributed to repetitive stress and strain. The objective findings on examination included no acute distress; able to heel and toe walk; tenderness to palpation noted at the lumbar paraspinal muscles of the lumbosacral junction; diminished range of motion of the lumbar spine; SLR positive bilaterally; well healed scar is consistent with prior surgeries to the knee; tenderness palpation over the medial lateral joint line and to the patellofemoral joint; crepitus noted with range of motion; no instability; range of motion of the right knee was ; positive McMurray's sign; sensation reported to be decreased at L4, L5, and S1 dermatomes bilaterally; motor strength 4/5 in all muscle groups. The diagnoses was low back pain; lumbar spine sprain/strain and rule out HNP; rule out lumbar radiculopathy; status post right knee surgery with residual pain. The patient was prescribed medical food; topical compounded cream; x-rays of the lumbar spine and right knee; a TENS unit; hot cold unit; physical therapy and acupuncture; shockwave therapy; functional capacity evaluation; MRI the lumbar spine; MRI the right knee; EMG/NCV bilateral lower extremities; a course of localized intents neuro-stimulation therapy; and Terocin patches for pain.

IMR ISSUES, DECISIONS AND RATIONALES

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

TENS unit & supplies (rental or purchase): Upheld

Claims Administrator guideline: The Claims Administrator did not cite any medical evidence for its decision.

MAXIMUS guideline: Decision based on MTUS ACOEM Chapter 9 Shoulder Complaints, Chapter 12 Low Back Complaints Page(s): 203, 300, Chronic Pain Treatment Guidelines TENS unit chronic pain Page(s): 114-117. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Forearm, Wrist, Hand, TENS Unit; Pain Chapter, TENS Unit

Decision rationale: The requesting provider did not provide subjective/objective evidence to support the medical necessity of the TENS Unit or the electronic muscle stimulator for the treatment of the back or knee for more than the recommended 30-day trial rental. The ACOEM Guidelines do not recommend the use of TENS Units for neck, shoulder, elbow, or wrist as there is no objective evidence available to support their use. There is no demonstrated medical necessity for a TENS unit as a freestanding treatment modality without the documentation of a functional restoration effort. It is recommended that the patient undergo a 30-day trial to demonstrate functional improvement prior to the purchase of a TENS unit for the treatment of the lumbar spine chronic pain issues. There is no justification for the use of the 4-lead TENS unit as required by the CA MTUS. The use of the TENS unit for the treatment for the wrist/hand/forearm/elbow/shoulder is not recommended by the CA MTUS or the ACOEM Guidelines. There is no objective evidence provided to support the medical necessity of the requested TENS Unit or electric muscle stimulator for the treatment of the back for the effects of the industrial injury. There was no documented functional improvement with use of a TENS unit in physical therapy; no documented 30-day trial rental; and no documented ongoing restoration program directed to the lower back. The TENS unit is directed to chronic back pain issues with a date of injury of one year ago. The CA MTUS and the Official Disability Guidelines only recommends the use of the TENS unit for chronic lower back pain with a demonstrated exercise program for conditioning and strengthening. The TENS Unit is recommended for only chronic intractable pain. There was no provided documentation that the patient was participating in a self-directed home exercise program. The ACOEM Guidelines revised back chapter 4/07/08 does recommend the use of the TENS Unit for the treatment of chronic lower back pain; however it must be as an adjunct to a functional rehabilitation program and ongoing exercise program. The CA MTUS only recommend the use of the TENS unit for chronic lower back pain with a demonstrated exercise program for conditioning and strengthening. There are no recommendations for the use of the TENS Unit in the treatment of the back for acute pain. There is no recommendation for the use of TENS units for the knee. There was no rationale supported with objective evidence by the requesting physician to support the medical necessity of the purchase/rental of a TENS unit with supplies. There is no objective evidence provided by the requesting provider that the same results cannot be achieved with a home exercise program established for functional rehabilitation with strengthening and conditioning directed to the hand. There is no demonstrated medical necessity for the purchase of a TENS for the rehabilitation of the chronic pain to the lower back and knee without an initial 30-day trial to demonstrate evidence of functional improvement. The request is considered not medically necessary.