

<b>Case Number:</b>	CM14-0185578		
<b>Date Assigned:</b>	11/13/2014	<b>Date of Injury:</b>	07/30/2014
<b>Decision Date:</b>	12/19/2014	<b>UR Denial Date:</b>	10/14/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	11/07/2014

### 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 Physical Medicine and Rehabilitation 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 48-year-old female with a date of injury of 7/30/14. Mechanism of injury is not discussed but the patient has been diagnosed with bilateral wrist sprain/strain and thoracolumbar sprain/strain. An H-Wave device was requested. Submitted reports do not discuss the number of physical therapy (PT) sessions and the response to PT. They do not discuss medications or response to medications. Despite a date of injury of 7/30/14, the submitted reports indicate that the patient had a 3-month home trial of transcutaneous electrical nerve stimulator (TENS). It is unclear how this is possible, considering the H-Wave trial began on 8/28/14. The H-Wave outcome report states that there was a decrease in medication use; however, none of the reports reflect what medications the patient was on prior to the H-Wave trial and what the patient was on after the H-Wave trial. With regards to function, the patient notes in the H-Wave outcome report that she "can do a little more than before". It is noted that the patient has been able to return to full duty, but documentation does not state that this was a change from prior to the H-Wave trial. This was submitted to Utilization Review with an adverse decision rendered on 10/10/14.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Home H-wave device purchase:** Upheld

**Claims Administrator guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines H-Wave Stimulation (HWT).

**MAXIMUS guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines H-wave stimulation (HWT) Page(s): 117-118.

**Decision rationale:** Guidelines do not recommend the H-Wave as an isolated intervention, but do support a one-month home-based trial as an adjunct to a program of evidence-based functional restoration with failure of conservative care, including PT, medications and TENS. Guidelines define a TENS trial as a one-month period. There are some inconsistencies in this medical record as well as a lack of clinical details that are needed to meet guideline criteria. First, it should be noted that this is a treatment that is considered for intractable pain that has FAILED conservative measures. In this case, the patient has had multiple treatments, but I don't see clear documentation that the patient has failed those treatments prior to doing an H-Wave trial. This device was used rather early in care, and the reported improvement may just as well be the effect of conservative care, and not the device. It is not clear if a trial was authorized or not, but this requirement for a trial is cleverly bypassed with a free trial of the device dispensed to the patient whether or not a trial is authorized. The electrotherapy questionnaire states that the patient failed a 3-month TENS trial. It is unclear how this is possible, given that the H-Wave trial began 1-month following the date of injury. This is a significant inconsistency. It is also notable that a TENS trial would only be considered upon failure of conservative care as well, so TENS would not be appropriate as first-line treatment if it was dispensed for a trial at the date of injury/first evaluation. Finally, with regards to the beneficial effect claimed from the device, this is not clearly detailed. In order to establish there was a decrease in medication, there should be documentation of medications at the start of the trial, and any reductions in prescription amounts at the close of the trial. Stating that it reduced medications without documentation of the before/after prescriptions is an unsupported claim. Also, the functional benefit claimed in the outcome report is that the patient "can do a little more than before". Like meds, work status before and after the trial should be documented to support the claim of a significant functional benefit. Regardless, the fact that this trial was done prior to "failure" of conservative care makes it impossible to prove that any progress the patient made was from the device and not from PT, medications, and time. Medical necessity for the purchase of an H-Wave device is not established.