

Case Number:	CM14-0092834		
Date Assigned:	07/25/2014	Date of Injury:	09/17/2008
Decision Date:	09/25/2014	UR Denial Date:	05/30/2014
Priority:	Standard	Application Received:	06/19/2014

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:

There were 589 pages provided for review. The request was for the hinged knee brace for the right knee purchase and also on unloading brace for the left knee. Per the records provided, the left knee pain is constant at three out of 10 with the use of Norco. The right knee pain is intermittent throughout the day. There was daily numbness and tingling in the left knee. The diagnosis is internal derangement of the knee on the left and right. X-rays from April 9, 2014 showed that there is a 2 mm articular surface and previously the left knee also shows 2 mm articular surface. Medicines included Norco for pain. There were two left knee surgeries. X-ray showed a loss of articular surface. An unofficial MRI of the right knee showed a tear in the lateral meniscus. She is a 40-year-old female injured back in 2008. There was left knee pain which was constant despite Norco. It was noted that the physician indicated the patient was asymptomatic.

IMR ISSUES, DECISIONS AND RATIONALES

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

Hinged Knee Brace for Right knee: Upheld

Claims Administrator guideline: Decision based on MTUS ACOEM Chapter 13 Knee Complaints Page(s): 339-340. Decision based on Non-MTUS Citation Official Disability Guidelines.

MAXIMUS guideline: Decision based on MTUS ACOEM Chapter 13 Knee Complaints Page(s): 340.

Decision rationale: The ACOEM Guidelines notes, "A brace can be used for patellar instability, anterior cruciate ligament (ACL) tear, or medical collateral ligament (MCL) instability although its benefits may be more emotional (i.e., increasing the patient's confidence) than medical. Usually a brace is necessary only if the patient is going to be stressing the knee under load, such as climbing ladders or carrying boxes. It is not clear the claimant has these conditions, or these occupational needs. The guides further note that for the average patient, using a brace is usually unnecessary". There is nothing noted as to why this claimant would be exceptional, from average and need a brace. The request is not medically necessary and appropriate.

Unloading Brace for Left Knee: Upheld

Claims Administrator guideline: Decision based on MTUS ACOEM Chapter 13 Knee Complaints Page(s): 339-340. Decision based on Non-MTUS Citation Official Disability Guidelines.

MAXIMUS guideline: Decision based on MTUS ACOEM Chapter 13 Knee Complaints Page(s): 340.

Decision rationale: The ACOEM Guidelines notes, "A brace can be used for patellar instability, anterior cruciate ligament (ACL) tear, or medical collateral ligament (MCL) instability although its benefits may be more emotional (i.e., increasing the patient's confidence) than medical. Usually a brace is necessary only if the patient is going to be stressing the knee under load, such as climbing ladders or carrying boxes. It is not clear the claimant has these conditions, or these occupational needs. The guides further note that for the average patient, using a brace is usually unnecessary". There is nothing noted as to why this claimant would be exceptional, from average and need a brace. The request is not medically necessary and appropriate.