

<b>Case Number:</b>	CM14-0218114		
<b>Date Assigned:</b>	01/07/2015	<b>Date of Injury:</b>	10/27/2008
<b>Decision Date:</b>	03/30/2015	<b>UR Denial Date:</b>	12/03/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	12/30/2014

### 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. 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/Service. He/she is familiar with governing laws and regulations, including the strength of evidence hierarchy that applies to Independent Medical Review determinations.

The Expert Reviewer has the following credentials:

State(s) of Licensure: California

Certification(s)/Specialty: Dentist

### CLINICAL CASE SUMMARY

The expert reviewer developed the following clinical case summary based on a review of the case file, including all medical records:

The injured worker is a 33 year old male, who sustained an industrial injury on 10/27/2008. He has reported subsequent neck, back and lower extremity pain and was diagnosed with lumbar postlaminectomy syndrome, sciatica, neck pain and tension headache. Treatment to date has included oral and topical pain medication and a spinal cord stimulator. In a progress note dated 11/12/2014, the injured worker complained of worsening neck, low back and bilateral lower extremity pain. Objective physical examination findings were notable for tenderness of the lumbar paraspinal muscles, decreased sensation in L2-L4, right L5 and S1, positive straight leg raise on the right and spasm and guarding of the lumbar spine as well as chipped dental incisors. A request for authorization of TMJ therapy with cone beam CT scan, JVA jaw tracker and EMG scans was made without any explanation as to why these requests were ordered. On 12/03/2014 Utilization Review non-certified requests for TMJ therapy with cone beam CT scan, JVA jaw tracker and EMG scans, noting that the medical records were scant and that there was no explanation as to why these tests were being requested. AAOMS Parameters of Care TMJ section was cited.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**TMJ therapy:** Upheld

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

**MAXIMUS guideline:** CA MTUS/ACOEM Guidelines - General Approach to Initial Assessment and Documentation 9792.20. MTUS July 18, 2009 page 3 and ACOEM Practice Guidelines, 2nd Edition (2004), Chapter 2) - A focused medical history, work history, and physical examination generally are sufficient to assess the patient who complains of an apparently job-related disorder. The initial medical history and examination will include evaluation for serious underlying conditions, including sources of referred symptoms in other parts of the body. The initial assessment should characterize the frequency, intensity, and duration in this and other equivalent circumstances. In this assessment, certain patient responses and findings raise the suspicion of serious underlying medical conditions. These are referred to as red flags. Their absence rules out the need for special studies, immediate consultation, referral, or inpatient care during the first 4 weeks of care (not necessarily

**Decision rationale:** Records reviewed indicate that this patient has upper jaw pain and TMJ pain. However this request for TMJ therapy is vague and not specific. Kind of therapy and frequency/quantity of this therapy also is not clear to this reviewer. Absent further detailed documentation and clear rationale, the medical necessity for this request is not evident. Per medical reference mentioned above "a focused medical history, work history and physical examination generally are sufficient to assess the patient who complains of an apparently job related disorder" in order to evaluate a patient's needs. This IMR reviewer does not believe this has been met in this case. This IMR reviewer recommends non-certification at this time.

**Cone beam CT scan:** Overturned

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

**MAXIMUS guideline:** The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Natl J Maxillofac Surg. 2012 Jan;3(1):2-9. doi: 10.4103/0975-5950.102138.

**Decision rationale:** Records reviewed indicate that this patient has upper jaw pain and TMJ pain. Per reference mentioned above, "CT examination produced excellent image for osseous morphology and pathology". Therefore this IMR reviewer finds this request medically necessary to further evaluate this patient's TMJ.

**JVA jaw tracker:** Upheld

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

**MAXIMUS guideline:** CA MTUS/ACOEM Guidelines - General Approach to Initial Assessment and Documentation 9792.20. MTUS July 18, 2009 page 3 and ACOEM Practice Guidelines, 2nd Edition (2004), Chapter 2) - A focused medical history, work history, and physical examination generally are sufficient to assess the patient who complains of an apparently job-related disorder. The initial medical history and examination will include evaluation for serious underlying conditions, including sources of referred symptoms in other parts of the body. The initial assessment should characterize the frequency, intensity, and duration in this and other equivalent circumstances. In this assessment, certain patient responses and findings raise the suspicion of serious underlying medical conditions. These are referred to as red flags. Their absence rules out the need for special studies, immediate consultation, referral, or inpatient care during the first 4 weeks of care (not necessarily

**Decision rationale:** In the records provided, there is insufficient clear rationale on why this JVA Jaw tracker is medically necessary. Absent further detailed documentation and clear rationale, the medical necessity for this request is not evident. Per medical reference mentioned above "a focused medical history, work history and physical examination generally are sufficient to assess the patient who complains of an apparently job related disorder" in order to evaluate a patient's needs. This IMR reviewer does not believe this has been met in this case. This IMR reviewer recommends non-certification at this time.

**EMG scans:** Upheld

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

**MAXIMUS guideline:** CA MTUS/ACOEM Guidelines - General Approach to Initial Assessment and Documentation 9792.20. MTUS July 18, 2009 page 3 and ACOEM Practice Guidelines, 2nd Edition (2004), Chapter 2) - A focused medical history, work history, and physical examination generally are sufficient to assess the patient who complains of an apparently job-related disorder. The initial medical history and examination will include evaluation for serious underlying conditions, including sources of referred symptoms in other parts of the body. The initial assessment should characterize the frequency, intensity, and duration in this and other equivalent circumstances. In this assessment, certain patient responses and findings raise the suspicion of serious underlying medical conditions. These are referred to as red flags. Their absence rules out the need for special studies, immediate consultation, referral, or inpatient care during the first 4 weeks of care (not necessarily

**Decision rationale:** In the records provided, there is insufficient clear rationale on why this EMG scan is medically necessary. Absent further detailed documentation and clear rationale, the medical necessity for this request is not evident. Per medical reference mentioned above "a focused medical history, work history and physical examination generally are sufficient to assess the patient who complains of an apparently job related disorder" in order to evaluate a patient's

needs. This IMR reviewer does not believe this has been met in this case. This IMR reviewer recommends non-certification at this time.