

Case Number:	CM15-0113937		
Date Assigned:	06/22/2015	Date of Injury:	04/26/2012
Decision Date:	07/22/2015	UR Denial Date:	05/21/2015
Priority:	Standard	Application Received:	06/12/2015

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: Texas, New York, California
 Certification(s)/Specialty: Preventive Medicine, Occupational Medicine

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 applicant is a represented 37-year-old who has filed a claim for chronic knee, ankle, and foot pain with derivative complaints of anxiety, depression, and insomnia reportedly associated with an industrial injury of April 26, 2012. In a Utilization Review report dated May 21, 2015, the claims administrator failed to approve a request for six sessions of acupuncture for the knee. The claims administrator referenced a RFA form received on May 14, 2015 in its determination. A progress note dated April 14, 2015 was also invoked. The applicant's attorney subsequently appealed. On a RFA form dated May 14, 2015, six sessions of acupuncture and a left knee brace were endorsed. In an associated progress note dated April 14, 2015, the applicant reported ongoing complaints of knee, ankle, and foot pain with derivative complaints of depression and anxiety. The applicant had received at least six sessions of acupuncture through this point in time, it was acknowledged. Additional acupuncture was sought while the applicant was placed off of work, on total temporary disability. A knee brace was also apparently endorsed for "prophylactic purposes" to avoid exacerbating pain complaints, the treating provider stated.

IMR ISSUES, DECISIONS AND RATIONALES

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

Acupuncture for left knee 6 sessions: Upheld

Claims Administrator guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

MAXIMUS guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

Decision rationale: No, the request for six sessions of acupuncture for the knee was not medically necessary, medically appropriate, or indicated here. The request was framed as a renewal or extension request for acupuncture, per a progress note dated April 14, 2015. While the Acupuncture Medical Treatment Guidelines in MTUS 9792.24.1d acknowledge that acupuncture treatments may be extended if there is evidence of functional improvement as defined in Section 9792.20e, here, however, the fact that the applicant was placed off of work, on total temporary disability, on April 14, 2015, despite receipt of at least six prior sessions of acupuncture, suggests a lack of functional improvement as defined in MTUS 9792.20e, despite receipt of the same. Therefore, the request was not medically necessary.

DME; purchase left knee brace: Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines, Knee & Leg, Brace.

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

Decision rationale: Similarly, the request for a knee brace was likewise not medically necessary, medically appropriate, or indicated here. As noted in the MTUS Guideline in ACOEM Chapter 13, page 340, for the average applicant, a knee brace is "usually unnecessary." ACOEM notes that knee braces are generally necessary only if an applicant is going to be stressing the knee under load, such as by climbing ladders or carrying boxes. Here, the applicant was off of work, on total temporary disability. It did not appear likely that the applicant was climbing ladders and/or carrying boxes as the applicant was not, in fact, working as of the date in question. Therefore, the request was not medically necessary.