

Case Number:	CM15-0124084		
Date Assigned:	07/08/2015	Date of Injury:	02/10/1989
Decision Date:	08/05/2015	UR Denial Date:	06/01/2015
Priority:	Standard	Application Received:	06/26/2015

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: Maryland

Certification(s)/Specialty: Physical Medicine & Rehabilitation, Neuromuscular 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 injured worker is a 55-year-old male, who sustained an industrial injury on 2/10/89. The injured worker was diagnosed as having low back pain and post lumbar laminectomy syndrome. Treatment to date has included multiple back surgeries and medication. Physical examination findings on 5/29/15 included restricted range of motion, tenderness and tight muscle bands of paravertebral muscles, and positive lumbar facet loading. Trigger points with radiation of pain and twitch response on palpation of the lumbar paraspinal muscles bilaterally were noted. Currently, the injured worker complains of lumbar spine pain and left hip pain. The treating physician requested authorization for a functional capacity evaluation regarding the lumbar spine.

IMR ISSUES, DECISIONS AND RATIONALES

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

Functional capacity evaluation regarding the lumbar spine: Upheld

Claims Administrator guideline: Decision based on MTUS ACOEM Chapter 5 Cornerstones of Disability Prevention and Management Page(s): 89-92. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Treatment Index, Fitness for Duty.

MAXIMUS guideline: Decision based on MTUS ACOEM Chapter 5 Cornerstones of Disability Prevention and Management Page(s): 91. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Fitness for Duty- FCE.

Decision rationale: Functional capacity evaluation regarding the lumbar spine is not medically necessary per the ODG and MTUS Guidelines. The MTUS states that in many cases, physicians can listen to the patient's history, ask questions about activities, and then extrapolate, based on knowledge of the patient and experience with other patients with similar conditions. If a more precise delineation is necessary to of patient capabilities than is available from routine physical examination under some circumstances, this can best be done by ordering a functional capacity evaluation of the patient. The ODG states that if a worker is actively participating in determining the suitability of a particular job, the FCE is more likely to be successful. A FCE is not as effective when the referral is less collaborative and more directive. One should consider an FCE if case management is hampered by complex issues such as prior unsuccessful return to work attempts or if there are conflicting medical reporting on precautions and/or fitness for modified job. An FCE can be considered also if the injuries that require detailed exploration of a worker's abilities. The documentation does not indicate that the patient is actively participating in determining the suitability of a job. There are no documents revealing complex work issues or prior return to work attempts. The ODG states that an FCE is not appropriate when the sole purpose is to determine a worker's effort or compliance and the documentation indicates that the FCE was requested to evaluate the patient's functional ability. The patient does not meet the criteria necessary by the MTUS for an FCE therefore the request for a functional capacity evaluation is not medically necessary.