

Case Number:	CM15-0170367		
Date Assigned:	09/10/2015	Date of Injury:	08/13/2013
Decision Date:	10/15/2015	UR Denial Date:	08/03/2015
Priority:	Standard	Application Received:	08/28/2015

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 28-year-old who has filed a claim for chronic low back and knee pain reportedly associated with an industrial injury of August 13, 2013. In a Utilization Review report dated August 3, 2015, the claims administrator failed to approve a request for a Functional Capacity Evaluation, apparently for purposes of assessing the applicant's ability to perform activities of daily living. The claims administrator referenced progress notes of June 15, 2015 and July 17, 2015 in its determination. The applicant's attorney subsequently appealed. On April 16, 2015, it was acknowledged that the applicant was off of work and had not worked since August 18, 2013. In a handwritten progress note dated July 17, 2015, the applicant reported ongoing complaints of low back pain, 8-1/2/10 with associated lower extremity paresthesias. Ancillary complaints of knee pain were noted. A Functional Capacity Evaluation was sought. A clear rationale for the same was not, however, furnished. The applicant was given a 15-pound lifting limitation, although it did not appear that the applicant was working with said limitation in place.

IMR ISSUES, DECISIONS AND RATIONALES

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

ADL's Functional capacity evaluation (FCE): Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Fitness for duty chapter under FCE.

MAXIMUS guideline: Decision based on MTUS General Approaches 2004, Section(s): General Approach to Initial Assessment and Documentation, and Chronic Pain Medical Treatment 2009, Section(s): Work conditioning, work hardening.

Decision rationale: No, the request for a Functional Capacity Evaluation (FCE) was not medically necessary, medically appropriate, or indicated here. While the MTUS Guideline in ACOEM Chapter 2, page 21 does suggest considering a Functional Capacity Evaluation when necessary to translate medical impairment into limitations and restrictions and to determine work capability, here, however, the applicant was off of work, as acknowledged above. The applicant had apparently not worked since August 18, 2013, i.e., a little under 2 years removed from the date of the request, July 17, 2015. It was not clearly stated why a Functional Capacity Evaluation was sought in the clinical and/or vocational context present here. It was not clearly stated why an FCE was ordered when it did not appear that the applicant was working, nor did it appear that the applicant was intent on returning to the workplace. While page 125 of the MTUS Chronic Pain Medical Treatment Guidelines does support usage of a Functional Capacity Evaluation as a precursor to enrollment in a work hardening program, here, however, there was no mention of the applicant's intent to enroll in a work hardening or work conditioning program as of the date in question, July 17, 2015. Therefore, the request was not medically necessary.