

Case Number:	CM15-0172533		
Date Assigned:	10/01/2015	Date of Injury:	05/12/2003
Decision Date:	11/09/2015	UR Denial Date:	07/29/2015
Priority:	Standard	Application Received:	09/01/2015

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: North Carolina
 Certification(s)/Specialty: Family Practice

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 46 year old female, who sustained an industrial injury on 5-12-2003. The injured worker is being treated for lumbago, thoracic or lumbosacral neuritis or radiculitis, lumbar sic displacement without myelopathy and arthropathy. Treatment to date has included diagnostics and medications. Per the Primary Treating Physician's Progress Report dated 6-25-2015, the injured worker (IW) presented for follow-up appointment. She reported lower back pain rated as 8 out of 10 with radiation to the bilateral legs. She tolerates her medications well and she still has pain symptoms that are alleviated somewhat by current medications. Objective findings included restricted range of motion of the lumbar spine with pain and tenderness to the paravertebral muscles bilaterally upon palpation. Work status was temporarily totally disabled. There is no indication that the IW has attempted to go back to work. The plan of care included, and authorization was requested for one functional capacity evaluation, one comprehensive psychological evaluation and one lumbar epidural steroid injection (ESI) L5-S1 on the right side. On 7-29-2015, Utilization Review non-certified the request for one functional capacity evaluation.

IMR ISSUES, DECISIONS AND RATIONALES

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

Functional Capacity Evaluation: 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: Functional Capacity Evaluation.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) functional capacity exam.

Decision rationale: The California MTUS and the ACOEM do not specifically address functional capacity evaluations. Per the ODG, functional capacity evaluations (FCE) are recommended prior to admission to work hardening programs, with preference for assessments tailored to a specific job. Not recommended as a routine use as part of occupational rehab or screening or generic assessments in which the question is whether someone can do any type of job. Consider FCE.1. Case management is hampered by complex issues such as: a. Prior unsuccessful RTW attempts. b. Conflicting medical reporting on precaution and/or fitness for modified jobs. c. Injuries that require detailed exploration of the worker's abilities. 2. Timing is appropriate. a. Close or at MMI/all key medical reports secured. b. Additional/secondary conditions clarified. There is no indication in the provided documentation of prior failed return to work attempts or conflicting medical reports or injuries that require detailed exploration of the worker's abilities. Therefore, criteria have not been met as set forth by the ODG and the request is not medically necessary.