

Case Number:	CM15-0172927		
Date Assigned:	09/15/2015	Date of Injury:	08/17/2012
Decision Date:	10/14/2015	UR Denial Date:	07/28/2015
Priority:	Standard	Application Received:	09/02/2015

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: New York
 Certification(s)/Specialty: Podiatrist

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 67 year old female, who sustained an industrial injury on 08-17-2012. She has reported injury to the right foot and ankle. The diagnoses have included right foot and ankle pain; ATF (anterior talofibular ligament) sprain ankle, right; OCD (osteochondritis dissecans) medial talar dome, right ankle; peroneus longus-brevis tendinopathy, right; and status post debridement with repair of right peroneus brevis and longus tendinosis, on 07-25-2013. Treatment to date has included medications, diagnostics, orthotics, physical therapy, home exercise program, surgical intervention, and orthopedic strapping to the right foot. A progress report from the treating physician, dated 07-17-2015, documented a follow-up visit with the injured worker. Currently, the injured worker complains of persistent right foot and ankle pain; she stated that the orthopedic strapping is helping her with the pain on her right foot, but the last strapping was less effective and she believes that was due to the tape not being as firmly applied; and she has frequent pain rated at 2-3 out of 10 in intensity, that increases depending on the level of activity. Objective findings included tenderness to palpation to the ATF (anterior talofibular) ligament, the talar dome, the lateral gutter of the right ankle, and the peroneal tendons from the retromalleolar groove to the fifth metatarsal base from the peroneus brevis and to the peroneal groove on the cuboid for the peroneus longus; pain was elicited by inversion and eversion; tenderness on palpation of the navicular tuberosity; and the MRI confirms ATF attenuation and peroneal tendinopathy and an OCD of the medial talar dome. The treatment plan has included the request for custom orthotics. The original utilization review, dated 07-28-2015, non-certified a request for custom orthotics.

IMR ISSUES, DECISIONS AND RATIONALES

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

Custom orthotics: Upheld

Claims Administrator guideline: Decision based on MTUS Ankle and Foot Complaints 2004.

MAXIMUS guideline: Decision based on MTUS Ankle and Foot Complaints 2004, Section(s): General Approach, Initial Assessment, Medical History, Physical Examination, Diagnostic Criteria, Work-Relatedness, Initial Care, Physical Methods, Activity Alteration, Work Activities, Follow-up Visits, Special Studies, Surgical Considerations, Summary, References.

Decision rationale: After careful review of the enclosed information and the pertinent guidelines for this case, I feel that the requested orthotics do not meet the criteria set forth in MTUS guidelines chapter 14, pages 370, 371. It is well documented in the MTUS guidelines that orthotics may be utilized as treatment for patients who have painful plantar fasciitis and metatarsalgia. The enclosed progress notes do not advise that this patient is suffering with either plantar fasciitis or metatarsalgia. The progress notes document that this patient is currently suffering with a sprain of the anterior talofibular ligament, and the orthotics will recommended for treatment of this sprain.