

Case Number:	CM15-0173138		
Date Assigned:	09/15/2015	Date of Injury:	05/30/2015
Decision Date:	10/14/2015	UR Denial Date:	08/26/2015
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: 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 66 year old male, who sustained an industrial injury on 5-30-2015. Medical records indicate the worker is undergoing treatment for lumbar disc protrusion and irritability. Progress reports dated 6-11-2015 and 7-21-2015, reported the injured worker complained of moderate low back pain radiating to the left leg. Physical examination from 7-21-2015 revealed lumbar range of motion of flexion 15 degrees, extension 8 degrees and left and right bending 5 degrees and lumbar tenderness at the paravertebral muscles with spasm. Treatment to date has included chiropractic care, heat, ice, Norco and Apap. On 7-21-2015, the Request for Authorization requested a functional capacity evaluation and a sleep study consultation. On 8-26-2015, the Utilization Review noncertified a functional capacity evaluation and a sleep study consultation.

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.

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 evaluation.

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 FCE1. 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.

Sleep study consultation: Upheld

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

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

Decision rationale: The California MTUS and the ACOEM do not specifically address the requested service. The ODG states that sleep studies are indicated in the evaluation of sleep disorders such as sleep apnea. There is no documentation of sleep disorder due to industrial incident or treatments tried and failed. Therefore, the request is not medically necessary.