

Case Number:	CM15-0020692		
Date Assigned:	02/10/2015	Date of Injury:	05/06/2013
Decision Date:	07/16/2015	UR Denial Date:	01/21/2015
Priority:	Standard	Application Received:	02/04/2015

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 44-year-old who has filed a claim for chronic neck pain reportedly associated with an industrial injury of May 6, 2013. In a Utilization Review report dated January 21, 2015, the claims administrator failed to approve a request for a TENS unit purchase. The claims administrator referenced a January 14, 2015 RFA form and an associated December 23, 2014 progress note in its determination. The applicant's attorney subsequently appealed. In a February 2, 2015 RFA form, the attending provider sought authorization for a TENS unit 30-day trial. In a January 21, 2015 progress note, the applicant reported ongoing complaints of neck and low back pain. The applicant was placed off of work, on total temporary disability, on this date. Ancillary complaints of shoulder pain were reported. A TENS unit was endorsed on a purchase basis on the grounds that this had been recommended by a medical-legal evaluator. Flexeril and Tylenol were continued. The attending provider and/or medical-legal evaluator seemingly endorsed the TENS unit on a purchase basis on the grounds that the applicant had employed the TENS unit modality during physical therapy and had stated that the TENS unit was successful. In a December 23, 2014 progress note, the applicant was again placed off of work, on total temporary disability. Flexeril, Tylenol, and the TENS unit in question were endorsed. The attending provider again stated that the applicant had used the TENS unit during physical therapy and stated that it was beneficial. Once again, the applicant was placed off of work. On November 24, 2014, the applicant reported multifocal complaints of neck, low back, and shoulder pain with associated complaints of headaches. Once again, the applicant was placed off of work, on total temporary disability, while Flexeril and Tylenol were continued.

IMR ISSUES, DECISIONS AND RATIONALES

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

TENS Unit Purchase: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Criteria for the Use of TENS, Chronic Intractable Pain (for the conditions noted above).

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Criteria for the use of TENS Page(s): 116.

Decision rationale: No, the request for a TENS unit purchase was not medically necessary, medically appropriate, or indicated here. As noted on page 116 of the MTUS Chronic Pain Medical Treatment Guidelines, provision of a TENS unit on a purchase basis should be predicated on evidence of a favorable outcome during an earlier one-month trial of the same, with beneficial outcomes evident in terms of both pain relief and function. Here, however, the attending provider seemingly endorsed the TENS unit on a purchase basis without having the applicant previously undergo one-month trial of the device in question. It appeared that the TENS unit was proposed on a purchase basis after the applicant had used the device during physical therapy. The applicant had not, thus, completed a successful one-month home-based trial of the device in question before the request to purchase the same was initiated. Therefore, the request was not medically necessary.