

Case Number:	CM15-0070836		
Date Assigned:	04/20/2015	Date of Injury:	04/20/2003
Decision Date:	05/26/2015	UR Denial Date:	04/02/2015
Priority:	Standard	Application Received:	04/14/2015

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: Minnesota, Florida
 Certification(s)/Specialty: Orthopedic Surgery

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 51-year-old male with left shoulder pain and limited range of motion. A preoperative MRI scan revealed a full-thickness tear of the supraspinatus and subscapularis tendons and intra-articular portion dislocation of the long head of biceps tendon. The clinical findings correlate with the MRI findings. Arthroscopy of the left shoulder with rotator cuff repair and possible open procedure on the biceps tendon has been certified. The disputed request pertains to associated services of an assistant surgeon and cold therapy unit for 2 weeks after surgery. The assistant surgeon was non-certified and the cold therapy unit rental was modified by utilization review using ODG guidelines.

IMR ISSUES, DECISIONS AND RATIONALES

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

Associated surgical service: An assistant surgeon: Overturned

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Physical therapy Guidelines, Indications for Surgery.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation American College of Surgeons 2013 Assistant at Surgery Consensus.

Decision rationale: According to the American College of Surgeons Statement of Principles the first assistant during a surgical operation should be a trained individual who is able to participate in and actively assist the surgeon in completing the operation safely and expeditiously by helping to provide exposure, maintaining hemostasis, and serve other technical functions. The qualifications of the person in the role may vary with the nature of the operation, the surgical specialty, and the type of hospital or ambulatory surgical facility. The 2013 Assistant at [REDACTED] indicates that an assistant is almost always necessary for arthroscopy with rotator cuff repair. As such, the request for a surgical assistant is appropriate and the medical necessity is established.

Cold Therapy Unit 2 weeks: 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), Physical therapy Guidelines.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation ODG: Section: Shoulder, Topic: Continuous flow cryotherapy.

Decision rationale: ODG guidelines recommend continuous flow cryotherapy as an option after shoulder surgery for 7 days. It reduces pain, swelling, inflammation, and need for narcotics after surgery. Use beyond 7 days is not recommended. As such, the request for 14 day rental of cold therapy unit is not supported and the medical necessity of the request has not been substantiated, therefore it is not necessary.