

MAXIMUS FEDERAL SERVICES, INC.

Independent Medical Review

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Notice of Independent Medical Review Determination

Dated: 11/26/2013

[REDACTED]

[REDACTED]

Employee:	[REDACTED]
Claim Number:	[REDACTED]
Date of UR Decision:	7/19/2013
Date of Injury:	6/2/2003
IMR Application Received:	8/13/2013
MAXIMUS Case Number:	CM13-0010655

- 1) MAXIMUS Federal Services, Inc. has determined the request for **an H-Wave system is not medically necessary and appropriate.**

INDEPENDENT MEDICAL REVIEW DECISION AND RATIONALE

An application for Independent Medical Review was filed on 8/13/2013 disputing the Utilization Review Denial dated 7/19/2013. A Notice of Assignment and Request for Information was provided to the above parties on 9/24/2013. A decision has been made for each of the treatment and/or services that were in dispute:

- 1) MAXIMUS Federal Services, Inc. has determined the request for **an H-wave system** is not **medically necessary and appropriate**.

Medical Qualifications of the Expert Reviewer:

The independent Medical Doctor who made the decision has no affiliation with the employer, employee, providers or the claims administrator. The physician reviewer is Board Certified in Anesthesiology, has a subspecialty in Pain Management and is licensed to practice in California. 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 treatments and/or services at issue.

Expert Reviewer Case Summary:

The claimant is a 47-year-old male presenting with chronic back pain following a work-related injury on 6/2/2003. The patient was described as constant, sharp, throbbing, stabbing and interfering with daily life activities. The pain is exacerbated by standing prolonged sitting and extending. The claimant has tried multiple modalities including medication, physical therapy, lumbar epidural steroid injections, and rest. The claimant's relevant medication includes OxyContin, Cymbalta, Pamelor, and Motrin. The physical exam is significant for diffuse lower lumbar tenderness to palpation, and straight leg raise demonstrating hamstring tightness bilaterally at 45°. The claimant was diagnosed with disabling back pain, and lumbar degenerative disc disease after work injury on 6/2/2003 with permanent and stationary status since 2007. The claimant has requested coverage for an H wave.

Documents Reviewed for Determination:

The following relevant documents received from the interested parties and the documents provided with the application were reviewed and considered. These documents included:

- Application of Independent Medical Review
- Utilization Review Determination
- Medical Records from Claims Administrator
- Medical Treatment Utilization Schedule (MTUS)

1) Regarding the request for an H-wave system:

Section of the Medical Treatment Utilization Schedule Relied Upon by the Expert Reviewer to Make His/Her Decision

The Claims Administrator based its decision on the Chronic Pain Medical Treatment Guidelines, H-Wave stimulation (HWT), pages 171-172, which is part of MTUS.

The Expert Reviewer found that no section of the MTUS was applicable. Per the Strength of Evidence hierarchy established by the California Department of Industrial Relations, Division of Workers' Compensation, the Expert Reviewer based his/her decision on Fuentes, Jorge P. et al. Effectiveness of Inferential Current Therapy in the Management of Musculoskeletal Pain: A Systematic Review and Meta-Analysis *Journal of the American Physical Therapy Association* 2010; 90(9): 1219-1238 and Palmer ST. et al. Effects of Electric Stimulation on C and A Delta Fiber-Mediated Thermal Perception Thresholds *Archives of Physical Medicine and Rehabilitation* 2004; 85(1): 119-128, which are not part of MTUS.

Rationale for the Decision:

There is a paucity of well-designed controlled studies in the medical literature on H-wave muscle stimulators. H-wave system is therefore, considered investigational. Additionally, the existing studies on electrical muscle stimulators are not proven to be better than standard therapy. **The request for an H-wave system is not medically necessary and appropriate.**

Effect of the Decision:

The determination of MAXIMUS Federal Services and its physician reviewer is deemed to be the final determination of the Administrative Director, Division of Workers' Compensation. With respect to the medical necessity of the treatment in dispute, this determination is binding on all parties.

In accordance with California Labor Code Section 4610.6(h), a determination of the administrative director may be reviewed only if a verified appeal is filed with the appeals board for hearing and served on all interested parties within 30 days of the date of mailing of the determination to the employee or the employer. The determination of the administrative director shall be presumed to be correct and shall be set aside only upon proof by clear and convincing evidence of one or more of the grounds for appeal listed in Labor Code Section 4610.6(h)(1) through (5).

Sincerely,

Paul Manchester, MD, MPH
Medical Director

cc: Department of Industrial Relations
Division of Workers' Compensation
1515 Clay Street, 18th Floor
Oakland, CA 94612

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Disclaimer: MAXIMUS is providing an independent review service under contract with the California Department of Industrial Relations. MAXIMUS is not engaged in the practice of law or medicine. Decisions about the use or nonuse of health care services and treatments are the sole responsibility of the patient and the patient's physician. MAXIMUS is not liable for any consequences arising from these decisions.