

**MAXIMUS FEDERAL SERVICES, INC.**

Independent Medical Review

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**Notice of Independent Medical Review Determination**

Dated: 11/27/2013

[REDACTED]

[REDACTED]

Employee:	[REDACTED]
Claim Number:	[REDACTED]
Date of UR Decision:	8/2/2013
Date of Injury:	4/1/2008
IMR Application Received:	8/14/2013
MAXIMUS Case Number:	CM13-0019327

- 1) MAXIMUS Federal Services, Inc. has determined the request for **one anterior cervical discectomy and decompression with interbody fusion at C5-6 and C6-7 with anterior plate/screw fixation C5-C7, iliac crest bone graft and reconstruction of iliac bone graft site** is medically necessary and appropriate.

## INDEPENDENT MEDICAL REVIEW DECISION AND RATIONALE

An application for Independent Medical Review was filed on 8/14/2013 disputing the Utilization Review Denial dated 8/2/2013. A Notice of Assignment and Request for Information was provided to the above parties on 9/30/2013. 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 **one anterior cervical discectomy and decompression with interbody fusion at C5-6 and C6-7 with anterior plate/screw fixation C5-C7, iliac crest bone graft and reconstruction of iliac bone graft site is 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 Orthopedic Surgery, has a subspecialty in Spinal Surgery 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:**

59 year old female date of injury 4/1/2008. Report from examination from 7/22/13 of progressive weakness in left biceps 4/5 as compared with 4/15/13 exam. Diagnosis of severe central canal stenosis and bilateral foraminal stenosis at C6/C7 and C5/6. MRI cervical spine 11/8/12 demonstrates severe spinal canal and bilateral neural foraminal stenosis at C5/6 and C6/7. Attached physical therapy notes from 2/19/13 through 4/25/13.

### **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 one anterior cervical discectomy and decompression with interbody fusion at C5-6 and C6-7 with anterior plate/screw fixation C5-C7, iliac crest bone graft and reconstruction of iliac bone graft site:**

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 American College of Occupational and Environmental Medicine (ACOEM), 2<sup>nd</sup> Edition, (2004), Neck and Upper Back Complaints, Chapter 8, pg. 180, which is part of the MTUS.

The Expert Reviewer based his/her decision on the American College of Occupational and Environmental Medicine (ACOEM), 2<sup>nd</sup> Edition, (2004), Neck and Upper Back Complaints, Chapter 8, pg. 180, which is part of the MTUS.

Rationale for the Decision:

Spinal fusion per ACOEM guidelines is recommended for “Cervical discectomy with fusion is recommended for patients with subacute or chronic radiculopathy due to ongoing nerve root compression who continue to have significant pain and functional limitation after at least 6 weeks of time and appropriate non-operative treatment.” Anterior cervical discectomy and fusion is the standard of care for symptomatic cervical spondylitic radiculopathy recalcitrant to non-operative care with clear evidence of correlating physical exam findings with advanced imaging. In this particular case the documentation has demonstrated clearly evidence of neural compression and the reading of the MRI is concordant with the patient’s neurologic deficit. This employee meets criteria for cervical fusion C5-C7 with plate/screw fixation C5/7, iliac crest bone graft and reconstruction of iliac bone graft site. **The request for one anterior cervical discectomy and decompression with interbody fusion at C5-6 and C6-7 with anterior plate/screw fixation C5-C7, iliac crest bone graft and reconstruction of iliac bone graft site is 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, 18<sup>th</sup> 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.