

MAXIMUS FEDERAL SERVICES, INC.

Independent Medical Review

P.O. Box 138009

Sacramento, CA 95813-8009

(855) 865-8873 Fax: (916) 605-4270



Notice of Independent Medical Review Determination

Dated: 11/19/2013

[REDACTED]

[REDACTED]

| | |
|---------------------------|--------------|
| Employee: | [REDACTED] |
| Claim Number: | [REDACTED] |
| Date of UR Decision: | 7/16/2013 |
| Date of Injury: | 11/2/2012 |
| IMR Application Received: | 7/29/2013 |
| MAXIMUS Case Number: | CM13-0004130 |

- 1) MAXIMUS Federal Services, Inc. has determined the request for **post-op physical therapy two (2) times four (4), left knee is not medically necessary and appropriate.**

INDEPENDENT MEDICAL REVIEW DECISION AND RATIONALE

An application for Independent Medical Review was filed on 7/29/2013 disputing the Utilization Review Denial dated 7/16/2013. A Notice of Assignment and Request for Information was provided to the above parties on 8/8/2013. 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 **post-op physical therapy two (2) times four (4), left knee 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 Preventive Medicine and Occupational Medicine, 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 applicant, Ms. [REDACTED], is a 45-year-old [REDACTED] employee who has filed a claim for chronic knee pain reportedly associated with an industrial injury of November 7, 2012.

Thus far, she has been treated with the following: Analgesic medications; a knee brace; initial return to modified duty work; subsequent left knee arthroscopy on February 13, 2013; 24 sessions of postoperative physical therapy; and reported return to a modified duty work.

The most recent progress report of August 19, 2013 is notable for comments that the applicant reports persistent low back pain and left knee pain. The applicant exhibits a significant limp coupled with limited knee and lumbar range of motion. The applicant is asked to return to modified duty work. She is asked to refrain from climbing ladders. Additional physical therapy is sought.

The applicant's work status is unchanged as compared to a prior report of July 31, 2013. It is not clearly stated whether she is working or not. A prior note of July 23, 2013, suggests that the applicant is off of work, on total temporary disability.

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 [REDACTED]
- Medical Records from Claims Administrator
- Medical Treatment Utilization Schedule (MTUS)

1) Regarding the request for post-op physical therapy two (2) times four (4), left knee:

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

The Claims Administrator did not list any evidence-based criteria in its utilization review determination letter.

The Expert Reviewer based his/her decision on the Chronic Pain Medical Treatment Guidelines, Physical Medicine, page 99, which is part of the MTUS.

Rationale for the Decision:

The Chronic Pain Guidelines recommend 9-10 visits of physical therapy over 8 weeks for myalgia and myositis. The medical records provided for review indicate that the employee has had prior cumulative treatment (24 sessions), which is in excess of guideline recommendations. **The request for post-op physical therapy two (2) times four (4), left knee 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

/sh

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.