

MAXIMUS FEDERAL SERVICES, INC.

Independent Medical Review

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Notice of Independent Medical Review Determination

Dated: 11/20/2013

[REDACTED]

[REDACTED]

Employee:	[REDACTED]
Claim Number:	[REDACTED]
Date of UR Decision:	7/26/2013
Date of Injury:	3/2/2009
IMR Application Received:	8/2/2013
MAXIMUS Case Number:	CM13-0006133

- 1) MAXIMUS Federal Services, Inc. has determined the request for **cognitive behavioral therapy once a week for twenty-four weeks is not medically necessary and appropriate.**
- 2) MAXIMUS Federal Services, Inc. has determined the request for **group therapy once a week for twenty-four weeks is not medically necessary and appropriate.**

INDEPENDENT MEDICAL REVIEW DECISION AND RATIONALE

An application for Independent Medical Review was filed on 8/2/2013 disputing the Utilization Review Denial dated 7/26/2013. A Notice of Assignment and Request for Information was provided to the above parties on 8/26/2013. 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 **cognitive behavioral therapy once a week for twenty-four weeks is not medically necessary and appropriate.**
- 2) MAXIMUS Federal Services, Inc. has determined the request for **group therapy once a week for twenty-four weeks is not medically necessary and appropriate.**

Medical Qualifications of the Expert Reviewer:

The independent expert reviewer who made the decision has no affiliation with the employer, employee, providers or the claims administrator. The physician reviewer is Board Certified in Psychology 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 employee is a 63 year-old male with a date of psychiatric injury of 3/2/09. According to reports, the employee experienced the death of his co-worker who passed away of a heart attack while at work. There is no current psychiatric diagnostic information provided; however, therapy notes from September and November of 2012 indicate a diagnosis of both post traumatic stress disorder (PTSD) and Insomnia.

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 cognitive behavioral therapy once a week for twenty-four weeks:

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 Official Disability Guidelines (ODG), Mental Illness & Stress Chapter for depression and Psychotherapy Guidelines, which is not 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 the Official Disability Guidelines, Stress and Mental Illness Chapter, Cognitive therapy for PTSD and Psychotherapy Guidelines.

Rationale for the Decision:

There was not any current information provided for review that was relevant to the employee's psychiatric diagnoses, recent psychotherapy history, or objective functional improvement. The only psychotherapy notes provided were dated September and November 2012. Based on having inadequate information, the request for 24 weekly cognitive-behavioral sessions is not medically necessary. In addition, the request does not follow the ODG Mental Illness and Stress Guidelines pertaining to PTSD and psychotherapy. **The request for cognitive behavioral therapy once a week for twenty-four weeks is not medically necessary and appropriate.**

2) Regarding the request for group therapy once a week for twenty-four weeks:

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 Official Disability Guidelines (ODG), Mental Illness & Stress Chapter for group therapy, which is not 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 the Official Disability Guidelines, Stress and Mental Illness Chapter, Group Therapy.

Rationale for the Decision:

There was not any current information provided for review that was relevant to the employee's psychiatric diagnoses, recent psychotherapy history, or objective functional improvement. The only psychotherapy notes provided were dated September and November 2012. **The request for group therapy once a week for twenty-four weeks 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

/hs

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.