

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: 11/13/2013

[REDACTED]

[REDACTED]

Employee:	[REDACTED]
Claim Number:	[REDACTED]
Date of UR Decision:	7/25/2013
Date of Injury:	8/26/2011
IMR Application Received:	8/6/2013
MAXIMUS Case Number:	CM13-0008039

- 1) MAXIMUS Federal Services, Inc. has determined the request for **Lumbar Epidural Steriod Injection L4-L5 bilateral** is not medically necessary and appropriate.

INDEPENDENT MEDICAL REVIEW DECISION AND RATIONALE

An application for Independent Medical Review was filed on 8/6/2013 disputing the Utilization Review Denial dated 7/25/2013. A Notice of Assignment and Request for Information was provided to the above parties on 9/9/2013. 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 **Lumbar Epidural Steriod Injection L4-L5 bilateral 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 Physical Medicine and Rehabilitation 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:

Patient with injury from 8/26/11, to low back.

4/30/13 report by Dr. [REDACTED] states that the patient has low back pain with radiation down to foot but no numbness or tingling down the leg. MRI from 12/21/11 showed 4mm disc at L5-1 and 3mm one at 4-5, normal EMG. Another MRI from 4/19/13 showed extruded disc at L4-5 and L5-1. Request was for spine surgical consult and continued Chiro.

6/6/13, treater's note, patient scheduled for ESI on 6/18/13. Pain radiate into both toes but no weakness, numbness, tingling. Positive SLR.

7/2/13, treater's note, ESI helped only 15%.

7/22/13 report by treater requesting an ESI. He references Dr. [REDACTED] 7/10/13 report indicating that the patient has had one ESI with temporary benefit, also stating "this worse off and her pain had increased following the shot."

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 Employee/Employee Representative
- Medical Treatment Utilization Schedule (MTUS)

1) Regarding the request for Lumbar Epidural Steriod Injection L4-L5 bilateral:

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

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

The Expert Reviewer based his/her decision on the Official Disability Guidelines (ODG), Epidural steroid injections (ESIs), which is not part of the California Medical Treatment Utilization Schedule (MTUS).

Rationale for the Decision:

Official Disability Guidelines do not support repeat injections unless there has been 50% or more reduction of pain lasting 6-8 weeks. The employee suffers from chronic low back and leg symptoms with MRI's showing disc herniations at L4-5 and L5-1. The employee has had one ESI without any benefit, in fact, increasing the symptoms. There is a request for a repeat injection. **The request for lumbar epidural steroid injection L4-L5 bilateral 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

/sm

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.