



Amended March 18, 2009

DATE OF REVIEW: 03/15/2009

IRO CASE #:

DESCRIPTION OF THE SERVICE OF SERVICES IN DISPUTE: The case involves the medical necessity of 160 hrs of work hardening.

QUALIFICATIONS: The reviewer is a chiropractor, Designated Doctor, impairment rating certified by AADEP, RTW/FCE certified by AADEP.

REVIEW OUTCOME:

Upon independent review, I find that the previous adverse determination or determinations should be upheld. The submitted documentation failed to satisfy all ODG inclusion criteria.

INFORMATION PROVIDED FOR REVIEW:

1. Fax cover and Confirmation of Request for Review dated 02/23/2009, 2 PAGES.
2. Request for IRO dated 02/23/2009, 7 pages.
3. Prior review dated 01/21/2009, 4 pages.
4. Request for reconsideration dated 02/06/2009, 4 pages.
5. Prior review dated 11/24/2008, 3 pages.
6. Request for reconsideration dated 12/10/2008, 4 pages.
7. Notice to ZRC dated 02/24/2009, 1 page.
8. Medical records submitted by provider dated 02/16/2009, 40 pages,

INJURED EMPLOYEE CLINICAL HISTORY: The claimant is a male with reported forearm/wrist injury on xx/xx/xx. The employee has been diagnosed with DeQuervain's synovitis. The claimant has undergone extensive lower level care and diagnostics that included EMG and MRI. The claimant was recommended for injections but opted not to undergo injection therapy. FCE dated 01/12/2009 reported medium to heavy PDL capabilities; however, the submitted documentation was missing a detailed job description with critical demands and PDL requirements from the employer, although the documentation suggests a medium PDL RTW requirement. The claimant has been released for modified duty, though return to work was not documented as successful. The claimant self discontinued RTW based on increased subjective complaints. Modified duty restrictions were significantly less than PDL capabilities per recent FCE. Prior reviews determined that the claimant was capable of RTW PDLs; however, the treating felt that endurance was the restricting factor, though documentation was not supportive.

ANALYSIS AND EXPLANATION OF THE DECISION, INCLUDING CLINICAL BASIS, FINDINGS AND CONCLUSIONS USED TO SUPPORT DECISION: The claimant has documented capabilities to RTW. The discontinuance of RTW based on subjective complaints is insufficient reasoning given the documented FCE PDLs of abilities greater than RTW requirements. The claimant has been non-compliant with treatment/injection recommendations. The claimant has been non-compliant with RTW recommendation with restrictions significantly below documented capabilities per FCEs. Further, the submitted documentation fails to satisfy all ODG inclusion criteria for WC/WH. In particular, documentation was missing employer provided critical demands and PDLs. The chief issue during the multiple appeals has been the employee's non-ability to RTW. Though, no documentation has been submitted from the employer that states the employ's PDLs are insufficient to RTW. Therefore, the prior adverse determinations are upheld based on failure of documentation to satisfy all inclusion criteria per ODGs. Namely, criteria (5) A and B have not been satisfied. Per ODGs
“(5) A defined return to work goal agreed to by the employer & employee:
(a) A documented specific job to return to with job demands that exceed abilities, OR
(b) Documented on-the-job training”

DESCRIPTION AND SOURCE OF THE SCREENING CRITERIA OR OTHER CLINICAL BASIS USED TO MAKE DECISION:

ODG-Official Disability Guidelines & Treatment Guidelines.