Advanced Medical Reviews

ACCREDITED EXTERNAL REVIEW

Notice of Independent Review Decision

PEER REVIEWER FINAL REPORT

DATE OF REVIEW: 7/30/2010
IRO CASE #:

DESCRIPTION OF THE SERVICE OR SERVICES IN DISPUTE:
APPEAL Additional Chronic Pain Management 5xWk x 2Wks 8 hours 10 sessions

QUALIFICATIONS OF THE REVIEWER:
Orthopaedics, Surgery Trauma

REVIEW OUTCOME:
Upon independent review the reviewer finds that the previous adverse determination/adverse determinations should be:

X Upheld (Agree)
☐ Overturned (Disagree)
☐ Partially Overturned (Agree in part/Disagree in part)

APPEAL Additional Chronic Pain Management 5xWk x 2Wks 8 hours 10 sessions Upheld

INFORMATION PROVIDED TO THE IRO FOR REVIEW

1. Official Disability Guidelines (ODG)
2. Facsimile cover sheet by dated 7/12/2010
3. Notice to AIR analyes DBA advanced medical reviews of case assignment by dated 7/12/2010
4. Confirmation of receipt of a request for a review by an independent review organization by dated 7/9/2010
5. Request for a review by an independent review organization by author unknown dated 7/1/2010
6. Letter by, MD dated 6/10/2010
7. 1st level appeal by, MD dated 6/8/2010
8. Notification of determination by, MD dated 5/7/2010
9. Review summary by, MD dated 5/6/2010
10. Notice of assignment of independent review organization by dated 7/12/2010
11. Facsimile cover sheet by dated 7/12/2010
12. Notice to AIR analyes DBA advanced medical reviews of case assignment by dated 7/12/2010
13. Confirmation of receipt of a request for a review by an independent review organization by dated 7/9/2010
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15. Letter by, MD dated 6/10/2010
16. 1st level appeal by, MD dated 6/8/2010
17. Notification of determination by, MD dated 5/7/2010
18. Review summary by, MD dated 5/6/2010
19. Advantage healthcare systems reevaluation by author illegible dated 3/2/2010
20. Progress note by author illegible dated 2/1/2010-3/9/2010
21. Weekly progress note by author illegible dated 1/25/2010-4/5/2010 multiple dated
22. Evaluation report by, M.Ed., LPC dated 1/5/2010
23. Examination finding by, DO dated 8/31/2009-4/5/2010 multiple dates
24. Statement of medical necessity by, LOT dated 7/24/2009
25. Functional capacity evaluation summary by, LOT dated 7/24/2009
26. Therapy notes by author illegible dated 6/26/2009-1/11/2010 multiple dates
27. Examination finding by, MD dated 6/23/2009-6/22/2010 multiple dates
28. Statement of medical necessity by, DC dated 6/10/2009-4/7/2010 multiple dates
29. Functional capacity evaluation summary by, DC dated 6/10/2009-4/7/2010 multiple dates
30. Notice of assignment of independent review organization by dated 7/12/2010

31. Facsimile cover sheet by dated 7/12/2010
32. Notice to AIR analyes DBA advanced medical reviews of case assignment by dated 7/12/2010
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49. Functional capacity evaluation summary by, DC dated 6/10/2009-4/7/2010 multiple dates

INJURED EMPLOYEE CLINICAL HISTORY [SUMMARY]:

The injured employee is a male with a date of injury of xx/xx/xx when three pipes fell from a height of two stories, hitting him on the left shoulder and neck. He ultimately underwent a left shoulder subacromial decompression, bursectomy and labral repair on 10/7/09. Currently he continues to have LUE (left upper extremity) pain, with inability to abduct past 90 degrees, weakness with grip, and positive Neer and Hawkins test. He has completed physical therapy, 20 sessions of work hardening with improvement and 10 sessions of chronic pain management with improvement. He is diagnosed with anxiety and depressive disorder. MRI 4/9/10 demonstrates no definitive labral tear and findings consistent with previous surgery.

ANALYSIS AND EXPLANATION OF THE DECISION INCLUDE CLINICAL BASIS, FINDINGS AND CONCLUSIONS USED TO SUPPORT THE DECISION.

The injured employee's history is above. He has completed 10 sessions of chronic pain management with improvement. The FCE (functional capacity exam) results from 4/7/10 state injured employee is able to complete work at medium physical demand level (PDL), with job requirement for very heavy PDL. But there is documentation of injured employee seeking medium PDL job. The injured employee is currently taking a muscle relaxant and NSAIDs, there was improvement in function and there is no clear indication of need for additional sessions of chronic pain management. The request does not meet the ODG criteria below and the previous denial is upheld.

Criteria for the general use of multidisciplinary pain management programs:

Outpatient pain rehabilitation programs may be considered medically necessary in the following circumstances:

(1) The patient has a chronic pain syndrome, with evidence of loss of function that persists beyond three months and has evidence of three or more of the following: (a) Excessive dependence on health-care providers, spouse, or family; (b) Secondary physical decondition due to disuse and/or fear-avoidance of physical activity due to pain; (c) Withdrawal from social activities or normal contact with others, including work, recreation, or other social contacts; (d) Failure to restore pre-injury function after a period of disability such that the physical capacity is insufficient to pursue work, family, or recreational needs; (e) Development of psychosocial sequelae that limits function or recovery after the initial incident, including anxiety, fear-avoidance, depression, sleep disorders, or nonorganic illness behaviors (with a reasonable probability to respond to treatment intervention); (f) The diagnosis is not primarily a personality disorder or psychological condition without a physical component; (g) There is evidence of continued use of prescription pain medications (particularly those that may result in tolerance, dependence or abuse) without evidence of improvement in pain or function.

(2) Previous methods of treating chronic pain have been unsuccessful and there is an absence of other options likely to result in significant clinical improvement.

(3) An adequate and thorough multidisciplinary evaluation has been made. This should include pertinent validated diagnostic testing that addresses the following: (a) A physical exam that rules out conditions that require treatment prior to initiating the program. All diagnostic procedures necessary to rule out treatable pathology, including imaging studies and invasive injections (used for diagnosis), should be completed prior to considering a patient a candidate for a program. The exception is diagnostic procedures that were repeatedly requested and not authorized. Although the primary emphasis is on the work-related injury, underlying non-work related pathology that contributes to pain and decreased function may need to be addressed and treated by a primary care physician prior to or coincident to starting treatment; (b) Evidence of a screening evaluation should be provided when addiction is present or strongly suspected; (c) Psychological testing using a validated instrument to identify pertinent areas that need to be addressed

in the program (including but not limited to mood disorder, sleep disorder, relationship dysfunction, distorted beliefs about pain and disability, coping skills and/or locus of control regarding pain and medical care) or diagnoses that would better be addressed using other treatment should be performed; (d) An evaluation of social and vocational issues that require assessment.

(4) If a goal of treatment is to prevent or avoid controversial or optional surgery, a trial of 10 visits (80 hours) may be implemented to assess whether surgery may be avoided.

(5) If a primary reason for treatment in the program is addressing possible substance use issues, an evaluation with an addiction clinician may be indicated upon entering the program to establish the most appropriate treatment approach (pain program vs. substance dependence program). This must address evaluation of drug abuse or diversion (and prescribing drugs in a non-therapeutic manner). In this particular case, once drug abuse or diversion issues are addressed, a 10-day trial may help to establish a diagnosis, and determine if the patient is not better suited for treatment in a substance dependence program. Addiction consultation can be incorporated into a pain program. If there is indication that substance dependence may be a problem, there should be evidence that the program has the capability to address this type of pathology prior to approval.

(6) Once the evaluation is completed, a treatment plan should be presented with specifics for treatment of identified problems, and outcomes that will be followed.

(7) There should be documentation that the patient has motivation to change, and is willing to change their medication regimen (including decreasing or actually weaning substances known for dependence). There should also be some documentation that the patient is aware that successful treatment may change compensation and/or other secondary gains. In questionable cases, an opportunity for a brief treatment trial may improve assessment of patient motivation and/or willingness to decrease habituating medications.

(8) Negative predictors of success (as outlined above) should be identified, and if present, the pre-program goals should indicate how these will be addressed.

(9) If a program is planned for a patient that has been continuously disabled for greater than 24 months, the outcomes for the necessity of use should be clearly identified, as there is conflicting evidence that chronic pain programs provide return-to-work beyond this period. These other desirable types of outcomes include decreasing post-treatment care including medications, injections and surgery. This cautionary statement should not preclude patients off work for over two years from being admitted to a multidisciplinary pain management program with demonstrated positive outcomes in this population.

(10) Treatment is not suggested for longer than 2 weeks without evidence of compliance and significant demonstrated efficacy as documented by subjective and objective gains. (Note: Patients may get worse before they get better. For example, objective gains may be moving joints that are stiff from lack of use, resulting in increased subjective pain.) However, it is also not suggested that a continuous course of treatment be interrupted at two weeks solely to document these gains, if there are preliminary indications that they are being made on a concurrent basis.

(11) Integrative summary reports that include treatment goals, compliance, progress assessment with objective measures and stage of treatment, must be made available upon request at least on a bi-weekly basis during the course of the treatment program.

(12) Total treatment duration should generally not exceed 20 full-day (160 hours) sessions (or the equivalent in part-day sessions if required by part-time work, transportation, childcare, or comorbidities). (Sanders, 2005) Treatment duration in excess of 160 hours requires a clear rationale for the specified extension and reasonable goals to be achieved. Longer durations require individualized care plans explaining why improvements cannot be achieved without an extension as well as evidence of documented improved outcomes from the facility (particularly in terms of the specific outcomes that are to be addressed).

(13) At the conclusion and subsequently, neither re-enrollment in repetition of the same or similar rehabilitation program (e.g. work hardening, work conditioning, out-patient medical rehabilitation) is medically warranted for the same condition or injury (with possible exception for a medically necessary organized detox program). Prior to entry into a program the evaluation should clearly indicate the necessity for the type of program required, and providers should determine upfront which program their patients would benefit more from. A chronic pain program should not be considered a “stepping stone” after less intensive programs, but prior participation in a work conditioning or work hardening program does not preclude an opportunity for entering a chronic pain program if otherwise indicated.

(14) Suggestions for treatment post-program should be well documented and provided to the referral physician. The patient may require time-limited, less intensive post-treatment with the program itself. Defined goals for these interventions and planned duration should be specified.

(15) Post-treatment medication management is particularly important. Patients that have been identified as having substance abuse issues generally require some sort of continued addiction follow-up to avoid relapse.

Inpatient pain rehabilitation programs: These programs typically consist of more intensive functional rehabilitation and medical care than their outpatient counterparts. They may be appropriate for patients who: (1) don’t have the minimal functional capacity to participate effectively in an outpatient program; (2) have medical conditions that require more intensive oversight; (3) are receiving large amounts of medications necessitating medication weaning or detoxification; or (4) have complex medical or psychological diagnosis that benefit from more intensive observation

and/or additional consultation during the rehabilitation process. (Keel, 1998) (Kool, 2005) (Buchner, 2006) (Kool, 2007).

As with outpatient pain rehabilitation programs, the most effective programs combine intensive, daily biopsychosocial rehabilitation with a functional restoration approach. If a primary focus is drug treatment, the initial evaluation should attempt to identify the most appropriate treatment plan (a drug treatment /detoxification approach vs. a multidisciplinary/interdisciplinary treatment program). See Chronic pain programs, opioids; Functional restoration programs.

The injured employee does not meet these criteria. The recommendation is to uphold the previous denial.

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

- ☐ ACOEM- AMERICAN COLLEGE OF OCCUPATIONAL & ENVIRONMENTAL MEDICINE UM KNOWLEDGEBASE
- ☐ AHCPR- AGENCY FOR HEALTHCARE RESEARCH & QUALITY GUIDELINES
- ☐ DWC- DIVISION OF WORKERS COMPENSATION POLICIES OR GUIDELINES
- ☐ EUROPEAN GUIDELINES FOR MANAGEMENT OF CHRONIC LOW BACK PAIN
- ☐ INTERQUAL CRITERIA
- ☐ MEDICAL JUDGEMENT, CLINICAL EXPERIENCE AND EXPERTISE IN ACCORDANCE WITH ACCEPTED MEDICAL STANDARDS
- ☐ MERCY CENTER CONSENSUS CONFERENCE GUIDELINES
- ☐ MILLIMAN CARE GUIDELINES
- **X** ODG- OFFICIAL DISABILITY GUIDELINES & TREATMENT GUIDELINES
- ☐ PRESSLEY REED, THE MEDICAL DISABILITY ADVISOR
- ☐ TEXAS GUIDELINES FOR CHIROPRACTIC QUALITY ASSURANCE & PRACTICE PARAMETERS
- ☐ TEXAS TACADA GUIDELINES
- ☐ TMF SCREENING CRITERIA MANUAL
- **X** PEER REVIEWED NATIONALLY ACCEPTED MEDICAL LITERATURE (PROVIDE A DESCRIPTION)
- ☐ OTHER EVIDENCE BASED, SCIENTIFICALLY VALID, OUTCOME FOCUSED GUIDELINES (PROVIDE A DESCRIPTION)

HSS J. 2007 Feb;3(1):58-62.Outcome of arthroscopic repair of type II SLAP lesions in worker's compensation patients. Verma NN, Garretson R, Romeo AA.

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J Shoulder Elbow Surg. 2010 Jun 14. [Epub ahead of print]

Outcomes of type II superior labrum, anterior to posterior (SLAP) repair: Prospective evaluation at a minimum two-year follow-up. Friel NA, Karas V, Slabaugh MA, Cole BJ. Departments of Orthopaedics and Anatomy & Cell Biology, Rush University Medical Center, Chicago, IL.