



Medical Review Institute of America, Inc.  
America's External Review Network

DATE OF REVIEW: April 27, 2010

IRO Case #:

**Description of the services in dispute:**

\_10 Sessions of work hardening have been requested for this patient.

**A description of the qualifications for each physician or other health care provider who reviewed the decision**

The physician who provided this review is board certified by the American Board of Physical Medicine & Rehabilitation in General Physical Medicine & Rehabilitation and Pain Medicine. This reviewer has been in active practice since 2005.

**Review Outcome**

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

Based on ODG guidelines, the requested 10 sessions of work hardening are not medically necessary.

**Information provided to the IRO for review**

Records Received from the State:

Notice to Medical Review Institute of America, Inc. of care assignment, 04/08/10 (1 page)

Confirmation of receipt of a request for a review by an independent review organization (IRO), 04/07/10 (5 pages)

Request for a review by an independent review organization, 04/07/10 (3 pages)

Non Certification of Reconsideration, 03/24/10 (3 pages)

Xchanging, Pre Authorization Determination: Adverse Determination upheld on Reconsideration, 03/24/10 (2 pages)

Advanced Medical Reviews, Prior review, 03/24/10 (2 pages)

Pain and recovery clinic, request for reconsideration, 03/17/10 (2 pages)

Xchanging, Preauthorization determination: Adverse determination, 03/03/10 (2 pages)

Non-certification notice, 03/02/10 (3 pages)

Advanced Medical Reviews, prior review, 03/03/10 (2 pages)

Pain and Recovery Clinic, Authorization request, 02/26/10 (1 page)

Pain and Recovery Clinic, Letter from, DC, 02/25/10 (3 pages)

Functional Testing, Functional Capacity Assessment, 02/18/10 (11 pages)

M.Ed., L.P.C., Work Hardening Assessment Psychosocial History, 02/23/10 (3 pages)

Records Received from the Provider:

Pain and Recovery Clinic, Letter from, Md, 04/09/10 (2 pages)

Notice of Assignment of Independent Review Organization, 04/08/10 (1 page)

M.Ed., L.P.C., Work Hardening Assessment Psychosocial History, 02/23/10 (3 pages)

### **Patient clinical history [summary]**

The patient is a male who was injured on xx/xx/xx. The functional capacity assessment dated 02/18/10 reports the patient's occupational demands as a heavy PDL and the patient is currently performing at a light PDL. A work hardening psychological assessment dated 02/23/10 reports a McGill score of 3-1/2, the Beck Depression Inventory 10/63, and the Beck Anxiety Inventory 13/63 and the patient appears to be an appropriate candidate for the work hardening program. Prior reviews provides a history that the patient underwent a CT of the abdomen and pelvis on 02/02/09 which revealed no acute process or adenopathy in the abdomen or pelvis; degenerative the disease of the lumbar spine and atherosclerotic disease. An MRI of the pelvis on 03/09/09 revealed mild intramuscular edema within orbiter internus muscles bilaterally suggesting muscle strain. An MRI of the lumbar spine on 04/17/09 revealed moderate canal stenosis at L4-5 and L1-2 with impingement upon the nerve roots within the lateral processes with possible involvement of the left L4 nerve root within the neural foramina at the L4-5 levels as well and mild canal stenosis at L3-4 and L2-3 an EMG/NCV study on 05/20/09 showed a chronic right L2 and L3 radiculopathy the patient reports he has been treated with physical therapy, medications, and injections.

### **Analysis and explanation of the decision include clinical basis, findings and conclusions used to support the decision.**

The clinical information provided for this review does not provide documentation of failure of conservative treatment efforts. The psychological assessment note indicates the patient has been treated with physical therapy, medications and injections; however, there is no documentation provided to report what treatments or modalities were prescribed or if the patient was compliant with attendance to physical therapy treatments. Also, the clinical information provided does not include a comprehensive physical examination. Therefore, the requested 10 sessions of work hardening is not medically necessary.

### **A description and the source of the screening criteria or other clinical basis used to make the decision:**

ODG, online edition

Chapter: Pain

Work hardening

Criteria for admission to a Work Hardening (WH) Program:

(1) Prescription: The program has been recommended by a physician or nurse case manager, and a prescription has been provided.

(2) Screening Documentation: Approval of the program should include evidence of a screening

evaluation. This multidisciplinary examination should include the following components: (a) History including demographic information, date and description of injury, history of previous injury, diagnosis/diagnoses, work status before the injury, work status after the injury, history of treatment for the injury (including medications), history of previous injury, current employability, future employability, and time off work; (b) Review of systems including other non work-related medical conditions; (c) Documentation of musculoskeletal, cardiovascular, vocational, motivational, behavioral, and cognitive status by a physician, chiropractor, or physical and/or occupational therapist (and/or assistants); (d) Diagnostic interview with a mental health provider; (e) Determination of safety issues and accommodation at the place of work injury. Screening should include adequate testing to determine if the patient has attitudinal and/or behavioral issues that are appropriately addressed in a multidisciplinary work hardening program. The testing should also be intensive enough to provide evidence that there are no psychosocial or significant pain behaviors that should be addressed in other types of programs, or will likely prevent successful participation and return-to-employment after completion of a work hardening program. Development of the patient's program should reflect this assessment.

(3) Job demands: A work-related musculoskeletal deficit has been identified with the addition of evidence of physical, functional, behavioral, and/or vocational deficits that preclude ability to safely achieve current job demands. These job demands are generally reported in the medium or higher demand level (i.e., not clerical/sedentary work). There should generally be evidence of a valid mismatch between documented, specific essential job tasks and the patient's ability to perform these required tasks (as limited by the work injury and associated deficits).

(4) Functional capacity evaluations (FCEs): A valid FCE should be performed, administered and interpreted by a licensed medical professional. The results should indicate consistency with maximal effort, and demonstrate capacities below an employer verified physical demands analysis (PDA). Inconsistencies and/or indication that the patient has performed below maximal effort should be addressed prior to treatment in these programs.

(5) Previous PT: There is evidence of treatment with an adequate trial of active physical rehabilitation with improvement followed by plateau, with evidence of no likely benefit from continuation of this previous treatment. Passive physical medicine modalities are not indicated for use in any of these approaches.

(6) Rule out surgery: The patient is not a candidate for whom surgery, injections, or other treatments would clearly be warranted to improve function (including further diagnostic evaluation in anticipation of surgery).

(7) Healing: Physical and medical recovery sufficient to allow for progressive reactivation and participation for a minimum of 4 hours a day for three to five days a week.

(8) Other contraindications: There is no evidence of other medical, behavioral, or other comorbid conditions (including those that are non work-related) that prohibits participation in the program or contradicts successful return-to-work upon program completion.

(9) RTW plan: A specific defined return-to-work goal or job plan has been established, communicated and documented. The ideal situation is that there is a plan agreed to by the employer and employee. The work goal to which the employee should return must have demands that exceed the claimant's current validated abilities.

(10) Drug problems: There should be documentation that the claimant's medication regimen will not prohibit them from returning to work (either at their previous job or new employment). If this is the case, other treatment options may be required, for example a program focused on detoxification.

(11) Program documentation: The assessment and resultant treatment should be documented and be available to the employer, insurer, and other providers. There should be documentation of the proposed benefit from the program (including functional, vocational, and psychological improvements) and the plans to undertake this improvement. The assessment should indicate that the program providers are familiar with the expectations of the planned job, including skills necessary. Evidence of this may include site visitation, videotapes or functional job descriptions.

(12) Further mental health evaluation: Based on the initial screening, further evaluation by a mental health professional may be recommended. The results of this evaluation may suggest that treatment options other than these approaches may be required, and all screening evaluation information should be documented prior to further treatment planning.

(13) Supervision: Supervision is recommended under a physician, chiropractor, occupational therapist, or physical therapist with the appropriate education, training and experience. This clinician should provide on-site supervision of daily activities, and participate in the initial and final evaluations. They should design the treatment plan and be in charge of changes required. They are also in charge of direction of the staff.

(14) Trial: Treatment is not supported for longer than 1–2 weeks without evidence of patient compliance and demonstrated significant gains as documented by subjective and objective improvement in functional abilities. Outcomes should be presented that reflect the goals proposed upon entry, including those specifically addressing deficits identified in the screening procedure. A summary of the patient's physical and functional activities performed in the program should be included as an assessment of progress.

(15) Concurrently working: The patient who has been released to work with specific restrictions may participate in the program while concurrently working in a restricted capacity, but the total number of daily hours should not exceed 8 per day while in treatment.

(16) Conferences: There should be evidence of routine staff conferencing regarding progress and plans for discharge. Daily treatment activity and response should be documented.

(17) Voc rehab: Vocational consultation should be available if this is indicated as a significant barrier. This would be required if the patient has no job to return to.

(18) Post-injury cap: The worker must be no more than 2 years past date of injury. Workers that have not returned to work by two-years post injury generally do not improve from intensive work hardening programs. If the worker is greater than one-year post injury a comprehensive multidisciplinary program may be warranted if there is clinical suggestion of psychological barrier to recovery (but these more complex programs may also be justified as early as 8–12 weeks, see Chronic pain programs).

(19) Program timelines: These approaches are highly variable in intensity, frequency and duration. APTA, AOTA and utilization guidelines for individual jurisdictions may be inconsistent. In general, the recommendations for use of such programs will fall within the following ranges: These approaches are necessarily intensive with highly variable treatment days ranging from 4–8 hours

with treatment ranging from 3–5 visits per week. The entirety of this treatment should not exceed 20 full-day visits over 4 weeks, or no more than 160 hours (allowing for part-day sessions if required by part-time work, etc., over a longer number of weeks). A reassessment after 1–2 weeks should be made to determine whether completion of the chosen approach is appropriate, or whether treatment of greater intensity is required.

(20) Discharge documentation: At the time of discharge the referral source and other predetermined entities should be notified. This may include the employer and the insurer. There should be evidence documented of the clinical and functional status, recommendations for return to work, and recommendations for follow-up services. Patient attendance and progress should be documented including the reason(s) for termination including successful program completion or failure. This would include noncompliance, declining further services, or limited potential to benefit. There should also be documentation if the patient is unable to participate due to underlying medical conditions including substance dependence.

(21) Repetition: Upon completion of a rehabilitation program (e.g., work conditioning, work hardening, outpatient medical rehabilitation, or chronic pain/functional restoration program) neither re-enrollment in nor repetition of the same or similar rehabilitation program is medically warranted for the same condition or injury.