

## Notice of Independent Review Decision

**DATE OF REVIEW:** February 16, 20XX

**IRO CASE #:**

### **DESCRIPTION OF THE SERVICE OR SERVICES IN DISPUTE**

Additional Work Hardening 5xWk x 2Wks, 4 hrs per day x 10 days (97545,97546)

### **A DESCRIPTION OF THE QUALIFICATIONS FOR EACH PHYSICIAN OR OTHER HEALTH CARE PROVIDER WHO REVIEWED THE DECISION**

This reviewer is licensed by Texas Board of Physical Medicine and Rehabilitation with 15 years of experience.

### **REVIEW OUTCOME**

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

- Upheld (Agree)
- Overturned (Disagree)
- Partially Overturned (Agree in part/Disagree in part)

Provide a description of the review outcome that clearly states whether or not medical necessity exists for each of the health care services in dispute.

### **INFORMATION PROVIDED TO THE IRO FOR REVIEW**

In March 20XX, the claimant was evaluated with complaints of pain in her left shoulder worse when she tries to raise it. No neck pain, numbness or weakness.

She complains of mild right knee pain and pain in the lateral aspect of her right hip. She is able to bear full weight. Impression: Cervical strain. Shoulder strain. Schedule therapy 3 times per week for 1 to 2 weeks. X-rays of Cervical Spine: No fracture and no evidence of subluxation. X-rays of Shoulder: No fracture seen and no evidence of subluxation. X-rays of Right knee: No fracture seen and no evidence of dislocation.

In March 20XX, the claimant began physical therapy 3 times a week for 2 weeks.

In March 20XX, the claimant attended her 5<sup>th</sup> physical therapy visit. She continues to progress. She needs to continue strengthening and postural re-education.

In May 20XX, the claimant attended her 9<sup>th</sup> physical therapy session for right hip strain.

In June 20XX, the claimant was evaluated by M.D. She feels the pattern of symptoms is better with no pain. She has been working within duty restrictions. She stated physical therapy has helped. Impression: Hip strain. She has reached MMI as of the date of the evaluation with no permanent impairment.

In July 20XX, the claimant was evaluated M.D. She feels her symptoms are not better; she has been working regular duty. The pain is located on the lower neck described as aching and crampy. The cervical spine had been resolved June 20XX but now the claimant returned with complains of pain to that area. Impression: Cervical sprain. She is scheduled for physical therapy 3 times a week for 2 weeks.

In July 20XX, the claimant attended her 14<sup>th</sup> physical therapy appointment with 2 missed appointments. She continues to have stiffness and discomfort to right upper trapezius and neck.

In August 20XX, the claimant was re-evaluated by M.D. She feels her pattern of symptoms is no better. She noted improvement with medications. Full ROM with pain.

In September 20XX, the claimant was re-evaluated by M.D. Unchanged from last visit. She was prescribed Naprosyn 500 mg and Norflex 100 mg.

In September 20XX, the claimant participated in a Functional Abilities Evaluation. She is in the light lifting category. She is capable of performing her job duties with restrictions

In October 20XX, LPCS performed a psychological evaluation. There are no psychological contraindications for the patient to participate in a Work Hardening Program. She has difficulty dealing with negative emotions appropriately,

distorted beliefs about the relationship between pain and disability, inadequate coping skills and symptoms of depression/anxiety.

In November 20XX, the claimant began work hardening.

In December 20XX, the claimant participated in a Physical Performance Evaluation. She is unable to perform her job duties without restrictions.

In December 20XX, an Occupational Medicine physician performed a utilization review on the claimant. Rationale for Denial: The patient has the lifting capacity of 45-50 pounds, but her cardiovascular capacity endurance is low. Cardiovascular capacity demand for sedentary work level is no significantly different from normal life activities. The documentation submitted for review indicates the patient has met occupational requirements for physical demand level to return to full duty. She also has minimal psychological symptoms. Therefore, it is not certified.

In December 20XX, an Occupational Medicine Physician performed a utilization review on the claimant. Rationale: Reported that the patient has the lifting capacity of 45-50 lbs. but her cardiovascular capacity endurance is very low. Cardiovascular capacity demand for sedentary work level is not significantly different from normal life activities, such as physically traveling and arriving at the PT's office, which she has done repeatedly during the last treatment program. Clinical documentation indicates the patient has recently completed 10 sessions of a work hardening program. The documentation submitted for review indicates the patient has met occupational requirements for PDL to return to full duty. The patient also has minimal psychological symptoms with scores of 8 on the Beck Depression Inventory and Beck Anxiety Inventory. The patient has made significant improvement with 10 prior sessions; however, given the patient's current functional and psychological status, additional treatment would not be warranted. As such the clinical documentation provided does not support the certification of the request at this time.

In January 20XX, a psychiatrist performed a utilization review on the claimant. Rationale: The patient has undergone prior work hardening that resulted in an increase in the patient's dynamic lifting ability and cardiovascular endurance. Therefore, it is not certified.

### **PATIENT CLINICAL HISTORY:**

The claimant tried to get up from a chair, caught her right foot on an object, tried to catch herself with her left arm, causing her to fall injuring her chin, head, right knee, left arm and right foot.

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

The previous decisions to deny additional work hardening are upheld. The claimant has met her job demand goals after completing 10 visits of work hardening sessions. Therefore, based on the ODG Criteria for admission to WH Program, no further work-hardening is medically necessary.

**ODG**

**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.

### **ODG Work Conditioning (WC) Physical Therapy Guidelines**

WC amounts to an additional series of intensive physical therapy (PT) visits required beyond a normal course of PT, primarily for exercise training/supervision (and would be contraindicated if there are already significant psychosocial, drug or attitudinal barriers to recovery not addressed by these programs). See also [Physical therapy](#) for general PT guidelines. WC visits will typically be more intensive than regular PT visits, lasting 2 or 3 times as long. And, as with all physical therapy programs, Work Conditioning participation does not preclude concurrently being at work.

*Timelines:* 10 visits over 4 weeks, equivalent to up to 30 hours.

**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
- 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
- PEER REVIEWED NATIONALLY ACCEPTED MEDICAL LITERATURE (PROVIDE A DESCRIPTION)
- OTHER EVIDENCE BASED, SCIENTIFICALLY VALID, OUTCOME FOCUSED GUIDELINES (PROVIDE A DESCRIPTION)