

Case Number:	CM13-0040329		
Date Assigned:	12/20/2013	Date of Injury:	12/05/2000
Decision Date:	05/02/2014	UR Denial Date:	10/15/2013
Priority:	Standard	Application Received:	10/29/2013

HOW THE IMR FINAL DETERMINATION WAS MADE

MAXIMUS Federal Services sent the complete case file to an expert reviewer. He/she has no affiliation with the employer, employee, providers or the claims administrator. The expert reviewer is Board Certified in Occupational Medicine, 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 disputed items/services. He/she is familiar with governing laws and regulations, including the strength of evidence hierarchy that applies to Independent Medical Review determinations.

CLINICAL CASE SUMMARY

The expert reviewer developed the following clinical case summary based on a review of the case file, including all medical records:

The applicant is a represented [REDACTED] employee who has filed a claim for chronic neck pain, low back, and elbow pain reportedly associated with an industrial injury of December 5, 2000. Thus far, the applicant has been treated with the following: Analgesic medications; attorney representation; muscle relaxants; adjuvant medications; and cervical epidural steroid injection therapy. In a utilization review report of October 15, 2013, the claims administrator denied a request for topical Voltaren gel. The applicant's attorney subsequently appealed. A clinical progress note of November 8, 2013 is notable for comments that the applicant is using Lortab, Cymbalta, Neurontin, MediDerm cream, baclofen, and Voltaren gel p.r.n. The applicant is having headaches. She states that Voltaren has been helpful in the past. She is also using Lortab as a primary agent. She exhibits tenderness about the lumbar spine with 4/5 right lower extremity strength. Tenderness is also noted about the trapezius. The applicant is given diagnoses of low back pain, myofascial pain syndrome, neck pain, and possible left elbow epicondylitis. Repeat trigger injections, Lidoderm patches, and Voltaren are sought. The applicant is asked to continue psychological counseling. The applicant's work status is not stated on this visit.

IMR ISSUES, DECISIONS AND RATIONALES

The Final Determination was based on decisions for the disputed items/services set forth below:

VOLTAREN GEL 1%: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines.

MAXIMUS guideline: Decision based on MTUS ACOEM Chapter 10 Elbow Disorders (Revised 2007) Page(s): 40, Chronic Pain Treatment Guidelines Page(s): 111-113..

Decision rationale: As noted on page 112 of the MTUS Chronic Pain Guidelines, Voltaren gel is indicated in the treatment of small joint arthritis, which lends itself toward topical treatment, such as, for example, the hands, feet, ankles, elbows, etc. In this case, however, it does not appear that the applicant carries a diagnosis of small joint arthritis, which would lend itself toward topical treatment. The MTUS Chronic Pain Guidelines do not address the topic of topical NSAID usage for elbow epicondylitis. While the MTUS-adopted ACOEM Guidelines in Chapter 10, Table 4, page 40, do state that topical NSAIDs such as Voltaren "recommended" for applicants with elbow epicondylitis, in this case, however, the attending provider has seemingly posited that he intends for the applicant to use Voltaren gel for the applicant's chronic multifocal/myofascial pain syndrome. The applicant has multifocal neck, shoulder, and low back pain. Usage of Voltaren gel to ameliorate the same is not indicated or supported either by page 112 of the MTUS Chronic Pain Guidelines or on page 40 of the MTUS-adopted ACOEM Guidelines in Chapter 10. Therefore, the request is not medically necessary and appropriate.