

<b>Case Number:</b>	CM13-0047383		
<b>Date Assigned:</b>	12/27/2013	<b>Date of Injury:</b>	08/09/2006
<b>Decision Date:</b>	05/22/2014	<b>UR Denial Date:</b>	09/26/2013
<b>Priority:</b>	Standard	<b>Application Received:</b>	11/01/2013

### 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 Physical Medicine and Rehabilitation, has a subspecialty in Interventional Spine 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:

This case involves a 59 year-old female with an 8/9/2006 industrial injury claim. She has been diagnosed with chronic pain syndrome, cervicgia, cervical disc degeneration and herniated C5-6 disc. According to the 9/27/13 medical report from [REDACTED] (family practice), the patient presents with neck pain. She manages the pain with Norco 2/day and 50mcg Fentanyl patches every 2 days. The pain ranges from 2-3 on good days and 6-7/10 on bad days. The plan was to continue medications and trial Cymbalta. The only other medical report available for this IMR, is dated 6/14/13. On 6/14/13 the patient reports the Fentanyl patches worked well for 48 hours then seem to lose potency. At that time she was using the 50mcg Fentanyl patches every 72 hours, and Norco 10/325mg up to 5/day prn. The 6/14/13 treatment plan was to use Fentanyl 50mcg every 48 hours. On 9/26/13 UR denied the use of Fentanyl 50mcg/h patches #30, stating there is no indication that this was treatment for the 8/9/06 injury.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**FENTANYL 50 MCG/HR #30:** Upheld

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

**MAXIMUS guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Opioids  
Page(s): 91-94.

**Decision rationale:** The patient presents with 3-7/10 chronic neck pain. She has been managing pain with 50mcg Fentanyl patches and Norco. She was using the Fentanyl patches every 3-days and up to 5 tablets of Norco/day, but noted the Fentanyl was losing potency at the 2nd day. The physician tried increasing the Fentanyl patch to every 48 hours, and decreased the Norco to 2/day. The overall pain levels were not changed and the physician was initiating a trial of Cymbalta. The patient has neck pain and the issue is whether Fentanyl patches used every 48 hours is medically necessary or in accordance with MTUS guidelines. MTUS guidelines, under "Opioids, specific drug list", pt 91-94, for fentanyl transdermal, states the patches are worn for a 72-hour period. The use of the fentanyl patches every 48-hours, is not in accordance with the dosing listed under the MTUS guidelines and thus, not medically necessary.