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| Case Number: | CM13-0056444 | | |
| Date Assigned: | 12/30/2013 | Date of Injury: | 12/16/2006 |
| Decision Date: | 03/21/2014 | UR Denial Date: | 11/19/2013 |
| Priority: | Standard | Application Received: | 11/22/2013 |

HOW THE IMR FINAL DETERMINATION WAS MADE

MAXIMUS Federal Services sent the complete case file to a physician reviewer. He/she has no affiliation with the employer, employee, providers or the claims administrator. The physician reviewer is Board Certified in Internal Medicine and is licensed to practice in Arizona. 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 physician 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 injured worker is a 60 year old man with a medical history of hepatitis C. The date of work-related injury was 12/16/06. He has been approved for treatment for work-related injuries including chronic low back pain with a diagnosis of lumbar degenerative disc disease with radiculopathy and psychiatric illness with a diagnosis of Major depressive disorder and adjustment disorder with depressed and anxious mood. The treating psychiatrist evaluated the injured worker on 10/22/13 and requested Lunesta 3mg by mouth at hours of sleep as needed for insomnia, quantity 30. The utilization review done on 11/19/13 yielded a modified approval of Lunesta 3mg by mouth as needed for sleep with a quantity of 8. The progress note dated 10/22/13 by the primary treating psychiatrist is not provided within the medical records available for review. Psychiatry notes dated 4/12/13 and 5/28/13 are reviewed. The injured worker had been treated with Cymbalta for depression. The psychiatric progress note dated 4/12/13 states that the patient has had improved mood and affect with less depressive symptoms while taking Cymbalta. He has had improved sleep while taking Lunesta. The treating psychiatrist discontinued Cymbalta on 5/28/13 due to elevated liver enzymes. The medical record does not contain any sleep logs or laboratory values. The psychiatrist states that the patient is actively being treated for hepatitis C with interferon during his evaluation on 4/12/13. $\hat{\alpha}$

IMR ISSUES, DECISIONS AND RATIONALES

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

Lunesta 3mg #30: Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Uptodate.com: Treatment of Insomnia, General Approach. Eszopicolone-Lunesta.

Decision rationale: The patient has active hepatitis C with elevated liver enzymes and major depressive disorder. Insomnia is a symptom of depression. At the time that Lunesta was requested for treatment of insomnia, the patient was not receiving treatment for depression. He is at risk for worsening depression due to treatment with interferon for hepatitis C. The MTUS is silent regarding using Lunesta as a treatment for insomnia. According to Uptodate, Treatment of Insomnia, General Approach, all patients with insomnia should receive therapy for any medical condition, psychiatric illness, substance abuse or sleep disorder that may be precipitating or exacerbating the insomnia. Lunesta is a hypnotic drug that can exacerbate depression. Furthermore Lunesta is metabolized through the liver and should be used in patients with active liver disease with caution or not at all. The use of Lunesta for the treatment of insomnia for this injured worker with liver disease and depression is not medically necessary.