

Case Number:	CM13-0062391		
Date Assigned:	12/30/2013	Date of Injury:	06/06/2002
Decision Date:	04/11/2014	UR Denial Date:	11/25/2013
Priority:	Standard	Application Received:	12/06/2013

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 low back pain reportedly associated with an industrial injury of June 6, 2002. Thus far, the applicant has been treated with the following: Analgesic medications; attorney representation, topical patches; long-acting opioids; prior lumbar laminectomy; and short-acting opioids. In a Utilization Review Report of November 25, 2013, the claims administrator partially certified a request for Norco while approving a request for Duragesic. The applicant's attorney subsequently appealed. The claims administrator somewhat incongruously stated that Norco is being certified for weaning purposes owing to lack of functional improvement while stating that Duragesic could be continued. No clear rationale for the differing decisions on the two opioids was stated. In a December 16, 2013 progress note, the applicant reports 8/10 pain. The applicant was using three Norco a day superimposed on Duragesic for chronic pain. The applicant is off of work. In addition to receiving monies through Workers' Compensation, the applicant is also receiving social Security Disability, it was stated. The applicant was on Duragesic, Norco, Valium, and Neurontin. Duragesic and Norco were reportedly improved. It was stated that the applicant had reported 50% improvement with the medications versus not taking the same. An earlier note of November 14, 2013 is notable for comments that the applicant again reported 8/10 pain, was using Motrin for pain relief, was using four Norco a day, and was on Social Security Disability insurance. Duragesic and Norco were both refilled. The applicant again reported 50% improvement with the medication in question but was described as exhibiting very limited lumbar range of motion and was using a cane to move about.

IMR ISSUES, DECISIONS AND RATIONALES

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

NORCO 10/325MG #120: Upheld

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

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines When to Continue Opioids topic. Page(s): 80.

Decision rationale: As noted on page 80 of the MTUS Chronic Pain Medical Treatment Guidelines, the cardinal criteria for continuation of opioid therapy are evidence of successful return to work, improved functioning, and/or reduced pain effected as a result of ongoing opioid therapy. In this case, however, these criteria have not been met. The applicant has failed to return to any form of work. In addition to receiving monies through the Workers' Compensation, the applicant is now also receiving social security disability insurance (SSDI). The applicant is still using a cane to move about and exhibits quite limited lumbar range of motion noted on multiple visits in November and December 2013, referenced above. The applicant's pain scores are quite high, an 8/10. While the attending provider stated that the applicant reported 50% improvement through usage of the opioid agents in question, Norco and Duragesic, the attending provider did not elaborate upon or describe what activities of daily living had been ameliorated as a result of the same. The fact that the applicant was still using a cane and was off of work implies that ongoing usage of opioids such as Norco has not been effective. Therefore, the request is not certified, on Independent Medical Review.