

Case Number:	CM13-0063127		
Date Assigned:	12/30/2013	Date of Injury:	11/06/2012
Decision Date:	11/26/2014	UR Denial Date:	11/13/2013
Priority:	Standard	Application Received:	12/09/2013

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 Family 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:

This is a 43-year-old female patient who reported an industrial injury on 11/6/2012, one (1) year ago, attributed to the performance of his usual and customary job duties. The patient was noted to complain, through an interpreter; of neck pain aggravated by prolonged looking downward; lumbar pain aggravated by prolonged bending and right shoulder pain associated with prolonged overhead reaching. The objective findings on examination included height 5'5"; weight 221 pounds; normal range of motion of the cervical spine was documented; 3+ tenderness to palpation of the cervical paravertebral muscles; muscle spasm of the cervical paravertebral muscles; lumbar spine with painful normal range of motion; 3+ tenderness to palpation; right shoulder with painful range of motion; 3+ tenderness to palpation of the anterior shoulder. The diagnoses were cervical sprain/strain; lumbar disc protrusion; lumbar muscle spasm; sciatica; right rotator cuff strain and morbid obesity. The treatment plan included the prescription of compounded analgesic creams x2.

IMR ISSUES, DECISIONS AND RATIONALES

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

240 GRAM COMPOUND - CAPSAICIN 0.025%, FLURBIPROFEN 15%, TRAMADOL 15%, MENTHOL 2%, CAMPHOR 2%: Upheld

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

MAXIMUS guideline: Decision based on MTUS ACOEM Chapter 3 Initial Approaches to Treatment Page(s): 47;128,Chronic Pain Treatment Guidelines Anti inflammatory medications, topical analgesics Page(s): 22, 63, 67-68, 111-113. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) pain chapter cyclobenzaprine; muscle relaxants; topical analgesics; topical analgesics compounded

Decision rationale: The prescription for the topical compounded analgesic CAPSAICIN 0.025%, FLURBIPROFEN 15%, TRAMADOL 15%, MENTHOL 2%, CAMPHOR 2% 240 g. is not medically necessary for the treatment of the patient for pain relief for the orthopedic diagnoses of the patient. There is clinical documentation submitted to demonstrate the use of the topical gels for appropriate diagnoses or for the recommended limited periods of time. It is not clear that the topical compounded medications are medically necessary in addition to prescribed oral medications. There is no provided subjective/objective evidence that the patient has failed or not responded to other conventional and recommended forms of treatment for relief of the effects of the industrial injury. Only if the subjective/objective findings are consistent with the recommendations of the ODG, then topical use of topical preparations is only recommended for short-term use for specific orthopedic diagnoses. There is no provided rationale supported with objective evidence to support the prescription of the topical compounded cream. There is no documented efficacy of the prescribed topical compounded analgesics with no assessment of functional improvement. The patient is stated to have reduced pain with the topical creams, however, there is no functional assessment, and no quantitative decrease in pain documented. Evidence-based guidelines report that compounded drugs are not evaluated for safety or efficacy by the federal FDA. According to the FDA, compounded drugs carry significant health risk that can lead to permanent injury or death. The California state legislature stated: "the legislature hereby declares the need to remove the financial incentive for prescribing costly and questionable compounded drugs, co-packs, and medical foods and create a new process for the prescription of compounded drugs, co-packs, and medical foods." The prescribed topical analgesic is not demonstrated to be medically necessary for the treatment of the cited diagnoses of this patient. The use of topical compounded analgesics is documented to have efficacy for only 2-4 weeks subsequent to injury, and thereafter, is not demonstrated to be as effective as oral NSAIDs. There is less ability to control serum levels and dosing with the topicals. The patient is not demonstrated to have any GI issue at all with NSAIDs or the prescribed analgesics. There is no demonstrated medical necessity for topical NSAIDs for chronic pain for a prolonged period of time. The request for the topical compounded analgesics is not medically necessary for the treatment of the patient for the diagnosis of the chronic pain. The use of the topical gels does not provide the appropriate therapeutic serum levels of medications due to the inaccurate dosing performed by rubbing variable amounts of gels on areas that are not precise. The volume applied and the times per day that the gels are applied are variable and do not provide consistent serum levels consistent with effective treatment. There is no medical necessity for the addition of gels to the oral medications in the same drug classes. There is no demonstrated evidence that the topicals are more effective than generic oral medications. The use of the topical compounded analgesic CAPSAICIN 0.025%, FLURBIPROFEN 15%, TRAMADOL 15%, MENTHOL 2%, CAMPHOR 2% 240 g. not supported by the applicable evidence-based guidelines as cited above. The continued use of topical NSAIDs for the current clinical conditions is not otherwise warranted or demonstrated to be appropriate. There is no documented objective evidence that the patient requires both the oral medications and the topical analgesic medication for the treatment

of the industrial injury. The prescription for the topical compounded analgesic CAPSAICIN 0.025%, FLURBIPROFEN 15%, TRAMADOL 15%, MENTHOL 2%, CAMPHOR 2% 240 g. is not medically necessary for the treatment of the patient's chronic pain complaints. The prescription of CAPSAICIN 0.025%, FLURBIPROFEN 15%, TRAMADOL 15%, MENTHOL 2%, CAMPHOR 2% 240 g. is not recommended by the CA MTUS; ACOEM guidelines, and the Official Disability Guidelines. The continued use of topical NSAIDs for the current clinical conditions is not otherwise warranted or appropriate - noting the specific comment, "There is little evidence to utilize topical NSAIDs for treatment of osteoarthritis of the spine, hip, or shoulder." The objective findings in the clinical documentation provided do not support the continued prescription of CAPSAICIN 0.025%, FLURBIPROFEN 15%, TRAMADOL 15%, MENTHOL 2%, CAMPHOR 2% 240 g. for the treatment of chronic pain. The request is not medically necessary and appropriate.

240 GRAM COMPOUND - FLURBIPROFEN 20%, TRAMADOL 20%: Upheld

Claims Administrator guideline: Decision based on MTUS Acupuncture Treatment Guidelines, Chronic Pain Treatment Guidelines TOPICAL ANALGESICS.

MAXIMUS guideline: Decision based on MTUS ACOEM Chapter 3 Initial Approaches to Treatment Page(s): 47;128, Chronic Pain Treatment Guidelines anti-inflammatory medications, muscle relaxants ;topical analgesics Page(s): 22, 67-68, 63; 111-. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) pain chapter cyclobenzaprine; muscle relaxants; topical analgesics; topical analgesics compounded

Decision rationale: The prescription for the topical compounded analgesic FLURBIPROFEN 20%, TRAMADOL 20% 240g is not medically necessary for the treatment of the patient for pain relief for the orthopedic diagnoses of the patient. There is clinical documentation submitted to demonstrate the use of the topical gels for appropriate diagnoses or for the recommended limited periods of time. It is not clear that the topical compounded medications are medically necessary in addition to prescribed oral medications. There is no provided subjective/objective evidence that the patient has failed or not responded to other conventional and recommended forms of treatment for relief of the effects of the industrial injury. Only if the subjective/objective findings are consistent with the recommendations of the ODG, then topical use of topical preparations is only recommended for short-term use for specific orthopedic diagnoses. There is no provided rationale supported with objective evidence to support the prescription of the topical compounded cream. There is no documented efficacy of the prescribed topical compounded analgesics with no assessment of functional improvement. The patient is stated to have reduced pain with the topical creams, however, there is no functional assessment, and no quantitative decrease in pain documented. Evidence-based guidelines report that compounded drugs are not evaluated for safety or efficacy by the federal FDA. According to the FDA, compounded drugs carry significant health risk that can lead to permanent injury or death. The California state legislature stated: "the legislature hereby declares the need to remove the financial incentive for prescribing costly and questionable compounded drugs, co-packs, and medical foods and create a new process for the prescription of compounded drugs, co-packs, and medical foods." The prescribed topical analgesic is not demonstrated to be medically necessary for the treatment of the cited diagnoses of this patient. The use of topical compounded analgesics is documented to

have efficacy for only 2-4 weeks subsequent to injury and thereafter is not demonstrated to be as effective as oral NSAIDs. There is less ability to control serum levels and dosing with the topicals. The patient is not demonstrated to have any GI issue at all with NSAIDs or the prescribed analgesics. There is no demonstrated medical necessity for topical NSAIDs for chronic pain for a prolonged period of time. The request for the topical compounded analgesics FLURBIPROFEN 20%, TRAMADOL 20% 240g is not medically necessary for the treatment of the patient for the diagnosis of the chronic pain. The use of the topical gels does not provide the appropriate therapeutic serum levels of medications due to the inaccurate dosing performed by rubbing variable amounts of gels on areas that are not precise. The volume applied and the times per day that the gels are applied are variable and do not provide consistent serum levels consistent with effective treatment. There is no medical necessity for the addition of gels to the oral medications in the same drug classes. There is no demonstrated evidence that the topicals are more effective than generic oral medications. The use of the topical compounded analgesic FLURBIPROFEN 20%, TRAMADOL 20% 240g not supported by the applicable evidence based guidelines as cited above. The continued use of topical NSAIDs for the current clinical conditions is not otherwise warranted or demonstrated to be appropriate. There is no documented objective evidence that the patient requires both the oral medications and the topical analgesic medication for the treatment of the industrial injury. The prescription for the topical compounded analgesic FLURBIPROFEN 20%, TRAMADOL 20% 240g is not medically necessary for the treatment of the patient's chronic pain complaints. The prescription of FLURBIPROFEN 20%, TRAMADOL 20% 240g is not recommended by the CA MTUS; ACOEM guidelines, and the Official Disability Guidelines. The continued use of topical NSAIDs for the current clinical conditions is not otherwise warranted or appropriate - noting the specific comment, "There is little evidence to utilize topical NSAIDs for treatment of osteoarthritis of the spine, hip, or shoulder." The objective findings in the clinical documentation provided do not support the continued prescription of the topical compounded analgesic FLURBIPROFEN 20%, TRAMADOL 20% 240g for the treatment of chronic pain.