

Case Number:	CM13-0071507		
Date Assigned:	04/02/2014	Date of Injury:	09/11/2004
Decision Date:	06/12/2014	UR Denial Date:	12/23/2013
Priority:	Standard	Application Received:	12/27/2013

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:

The patient is a 38 year old female with an injury date of 09/11/04. Based on the 01/28/14 progress report provided by [REDACTED], the patient complains of increased pain in the bilateral knees and lumbar spine which radiates to the right lower extremity with numbness and tingling sensation in the right toes. Examination of the bilateral knees revealed the following: tenderness over the left anterior medial joint line and right lateral knee joint line; positive patellofemoral crepitus and patellofemoral grind; and mild right knee swelling at the inferior pole patellar. There was also tenderness and spasms over the bilateral paravertebral muscles and a positive straight leg test. Decreased sensation at the right L4-L5 dermatomes was also noted. The patient is diagnosed with the following: status post three left knee surgeries (anterior cruciate ligament reconstruction on 03/17/05, 11/03/06, and 10/24/12); Right knee patellofemoral arthralgia scarring of infrapatellar Hoffa's fat pad, mid lateral patellar tilt, joint effusion (as per MRI scan 09/20/13); Lumbar spine sprain/strain.

There is a request for Flector patches. The utilization review determination being challenged is dated 12/23/13. The rationale is that the efficacy of the Flector patches was not discussed.

IMR ISSUES, DECISIONS AND RATIONALES

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

FLECTOR PATCHES #60: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Fda (Flector Patch Page(s): 111-112.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Topical Creams Page(s): 111.

Decision rationale: According to the 01/28/14 report by [REDACTED], the patient complains of increased pain in the bilateral knees and lumbar spine which radiates to the right lower extremity with numbness and tingling sensation in the right toes. The request is for Flector patches. The 01/28/14 report continues to state that the patient began using Flector patches on 07/03/13. There are no discussion regarding how the Flector patches impacted the patient's pain and function. Regarding topical agents, MTUS states, "There is little to no research to support the use of many of these agents." For topical NSAIDs, the indications are for peripheral joint arthritis/tendinitis for typically short-term use. In this case, the patient presents with peripheral joint, knee pain and trial of Flector patches may be indicated. However, despite the use of this patch since 7/3/13, there is not a single mention regarding how this patch has helped the patient. MTUS guidelines require documentation of pain and function when medications are used for chronic pain. Therefore, the request for Flector patches, # 60 is not medically necessary and appropriate.