

<b>Case Number:</b>	CM14-0016668		
<b>Date Assigned:</b>	04/11/2014	<b>Date of Injury:</b>	04/14/2008
<b>Decision Date:</b>	08/28/2014	<b>UR Denial Date:</b>	01/27/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	02/10/2014

### 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 neck and low back pain reportedly associated with an industrial injury of April 14, 2008. Thus far, the applicant has been treated with analgesic medications; earlier cervical fusion surgery; unspecified amounts of physical therapy; transfer of care to and from various providers in various specialties; topical compounds; and extensive periods of time off of work. In a Utilization Review Report dated January 26, 2014, the claims administrator denied a request for several topical compounded creams while approving an orthopedic reevaluation. The applicant's attorney subsequently appealed. In a May 30, 2014 progress note, the applicant represented with multifocal neck, low back, bilateral knee pain, 7-8/10. The applicant was placed off of work, on total temporary disability. Additional physical therapy was sought. A variety of medications were endorsed, including Duexis. The applicant was placed off of work, on total temporary disability. In an earlier note of April 21, 2014, the applicant was again given a prescription for Duexis, an amalgam of Ibuprofen and Famotidine, along with several topical compounded creams, and placed off of work, on total temporary disability.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Fluriflex 15 / 10% Cream, 180GM:** Upheld

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

**MAXIMUS guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Topical Analgesics Page(s): 111-113.

**Decision rationale:** One of the ingredients in the compound is Flexeril, a muscle relaxant. As noted on page 113 of the MTUS Chronic Pain Medical Treatment Guidelines, however, muscle relaxants such as Flexeril are not recommended for topical compound formulation purposes. Since one or more ingredients in the compound is not recommended, the entire compound is considered not recommended, per page 111 of the MTUS Chronic Pain Medical Treatment Guidelines. Therefore, the request is not medically necessary.

**TGICE 8 / 10 / 2 / 2% Cream, 180GM:** Upheld

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

**MAXIMUS guideline:** Decision based on MTUS ACOEM Chapter 3 Initial Approaches to Treatment Page(s): 47, Chronic Pain Treatment Guidelines Topical Analgesics Page(s): 111.

**Decision rationale:** As noted in the MTUS-adopted ACOEM Guidelines in Chapter 3, page 47, oral pharmaceuticals are a first-line palliative method. In this case, the applicant's ongoing usage of various first-line oral pharmaceuticals, including Duexis, effectively obviates the need for what page 111 of the MTUS Chronic Pain Medical Treatment Guidelines deems largely experimental topical agents such as the topical TGICE compound in question. Therefore, the request is not medically necessary.