

Case Number:	CM14-0167035		
Date Assigned:	10/14/2014	Date of Injury:	10/03/2013
Decision Date:	11/17/2014	UR Denial Date:	10/01/2014
Priority:	Standard	Application Received:	10/10/2014

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 Physical Medicine and Rehabilitation 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 58 year-old patient sustained an injury on 10/3/13 while employed by [REDACTED]. Request(s) under consideration include 1 Prescription of Flector patches #30. Diagnoses include ankle sprain. Report of 9/19/14 from the provider noted the patient with chronic ongoing foot and ankle pain status post ORIF (open reduction and internal fixation) of ankle fracture "many years ago." Pain level was described at 2-3/10 for flare-up and post-traumatic arthritis with painful neuroma. The patient was seen by a podiatrist months ago who provided an injection that is wearing off. Exam showed weight of 204 pounds; left ankle with some restrictions (unspecified) in range. Diagnoses included chronic left ankle pain/ post-traumatic arthritis status post ORIF and painful neuroma. There is a report on 5/19/14 from the podiatry provider referencing an injection into the left subtalar joint. There is an AME (agreed medical evaluation) report of 1/15/14 noting patient in 1986 had sustained a left lower fibula fracture while playing basketball which required surgical intervention. The request(s) for 1 Prescription of Flector patches #30 was non-certified on 10/1/14 citing guidelines criteria and lack of medical necessity.

IMR ISSUES, DECISIONS AND RATIONALES

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

1 Prescription of Flector patches, #30: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Topical NSAIDS, (non-steroidal anti-inflammatory drug). Decision based on Non-MTUS Citation Official Disability Guidelines: Pain (chronic)Flector patch (diclofenac epolamine)

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines NSAIDs (non-steroidal anti-inflammatory drugs) Page(s): 22.

Decision rationale: Per Guidelines, the efficacy in clinical trials for this treatment modality has been inconsistent and no long-term studies have shown their effectiveness or safety. Flector patch (Diclofenac) is recommended for osteoarthritis after failure of an oral NSAID or contraindications to oral NSAIDs after consideration of increase risk profile of severe hepatic reactions including liver necrosis, jaundice, fulminant hepatitis, and liver failure (FDA, 2009), but has not been demonstrated here. The efficacy in clinical trials for topical NSAIDs has been inconsistent and most studies are small and short duration. Topical NSAIDs are not supported beyond trial of 2 weeks as effectiveness is diminished similar to placebo effect. These medications may be useful for chronic musculoskeletal pain, but there are no long-term studies of their effectiveness or safety beyond 2 weeks especially for this chronic 2013 injury. There is no documented functional benefit from treatment already rendered. The 1 Prescription of Flector patches #30 is not medically necessary and appropriate.