

<b>Case Number:</b>	CM14-0175462		
<b>Date Assigned:</b>	10/28/2014	<b>Date of Injury:</b>	09/08/2008
<b>Decision Date:</b>	12/05/2014	<b>UR Denial Date:</b>	10/15/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	10/23/2014

### 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 & 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 patient sustained an injury on 9/8/08 while employed by [REDACTED]. Request(s) under consideration include Morphine Sulfate tab 100mg ER, 30 day supply, #90, Morphine Sulfate tab 30mg ER, 30 day supply, #90, and Oxycodone tab 30mg, 30 day supply, #180. Diagnoses include lumbago/ low back pain s/p laminectomy syndrome; and long-term prescription use. Medications list Promethazine, Xanax, Prilosec, MS-Contin 100 mg and 30mg and Roxicodone. Conservative care has included medications, therapy, and modified activities/rest. The patient was noted to not want to consider surgical or any interventional options. The patient continues to treat for chronic ongoing low back pain. Exam showed lumbar spine facet joint tenderness; decreased range in all planes. The patient had UDS that was positive for opioids. The request(s) for Morphine Sulfate tab 100mg ER, 30 day supply, #90, Morphine Sulfate tab 30mg ER, 30 day supply, #90, and Oxycodone tab 30mg, 30 day supply, #180 were non-certified on 10/15/14 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:

**Morphine Sulfate tab 100mg ER, 30 day supply, #90:** Upheld

**Claims Administrator guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Opioids Page(s): 76-80. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Pain Chapter, Opioids, Dosing

**MAXIMUS guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Opioids Page(s): 74-96.

**Decision rationale:** This patient sustained an injury on 9/8/08 while employed by [REDACTED]. Request(s) under consideration include Morphine Sulfate tab 100mg ER, 30 day supply, #90, Morphine Sulfate tab 30mg ER, 30 day supply, #90, and Oxycodone tab 30mg, 30 day supply, #180. Diagnoses include lumbago/ low back pain s/p laminectomy syndrome; and long-term prescription use. Medications list Promethazine, Xanax, Prilosec, MS-Contin 100 mg and 30mg and Roxicodone. Conservative care has included medications, therapy, and modified activities/rest. The patient was noted to not want to consider surgical or any interventional options. The patient continues to treat for chronic ongoing low back pain. Exam showed lumbar spine facet joint tenderness; decreased range in all planes. The patient had UDS that was positive for opioids. The request(s) for Morphine Sulfate tab 100mg ER, 30 day supply, #90, Morphine Sulfate tab 30mg ER, 30 day supply, #90, and Oxycodone tab 30mg, 30 day supply, #180 were non-certified on 10/15/14. Per the MTUS Guidelines cited, opioid use in the setting of chronic, non-malignant, or neuropathic pain is controversial. Patients on opioids should be routinely monitored for signs of impairment and use of opioids in patients with chronic pain should be reserved for those with improved functional outcomes attributable to their use, in the context of an overall approach to pain management that also includes non-opioid analgesics, adjuvant therapies, psychological support, and active treatments (e.g., exercise). Submitted documents show no evidence that the treating physician is prescribing opioids in accordance to change in pain relief, functional goals with demonstrated improvement in daily activities, decreased in medical utilization or change in work status. The MTUS provides requirements of the treating physician to assess and document for functional improvement with treatment intervention and maintenance of function that would otherwise deteriorate if not supported. From the submitted reports, there is no demonstrated evidence of specific functional benefit derived from the continuing use of opioids with persistent severe pain. The Morphine Sulfate tab 100mg ER, 30 day supply, #90 is not medically necessary and appropriate.

**Morphine Sulfate tab 30mg ER, 30 day supply, #90:** Upheld

**Claims Administrator guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Opioids Page(s): 76-80. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Pain Chapter, Opioids, Dosing

**MAXIMUS guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Opioids Page(s): 74-96.

**Decision rationale:** This patient sustained an injury on 9/8/08 while employed by Sensient Technologies Corporation. Request(s) under consideration include Morphine Sulfate tab 100mg ER, 30 day supply, #90, Morphine Sulfate tab 30mg ER, 30 day supply, #90, and Oxycodone tab 30mg, 30 day supply, #180. Diagnoses include lumbago/ low back pain s/p laminectomy syndrome; and long-term prescription use. Medications list Promethazine, Xanax, Prilosec, MS-Contin 100 mg and 30mg and Roxicodone. Conservative care has included medications, therapy, and modified activities/rest. The patient was noted to not want to consider surgical or any interventional options. The patient continues to treat for chronic ongoing low back pain.

Exam showed lumbar spine facet joint tenderness; decreased range in all planes. The patient had UDS that was positive for opioids. The request(s) for Morphine Sulfate tab 100mg ER, 30 day supply, #90, Morphine Sulfate tab 30mg ER, 30 day supply, #90, and Oxycodone tab 30mg, 30 day supply, #180 were non-certified on 10/15/14. Per the MTUS Guidelines cited, opioid use in the setting of chronic, non-malignant, or neuropathic pain is controversial. Patients on opioids should be routinely monitored for signs of impairment and use of opioids in patients with chronic pain should be reserved for those with improved functional outcomes attributable to their use, in the context of an overall approach to pain management that also includes non-opioid analgesics, adjuvant therapies, psychological support, and active treatments (e.g., exercise). Submitted documents show no evidence that the treating physician is prescribing opioids in accordance to change in pain relief, functional goals with demonstrated improvement in daily activities, decreased in medical utilization or change in work status. The MTUS provides requirements of the treating physician to assess and document for functional improvement with treatment intervention and maintenance of function that would otherwise deteriorate if not supported. From the submitted reports, there is no demonstrated evidence of specific functional benefit derived from the continuing use of opioids with persistent severe pain. The Morphine Sulfate tab 30mg ER, 30 day supply, #90 is not medically necessary and appropriate.

**Oxycodone tab 30mg, 30 day supply, #180: Upheld**

**Claims Administrator guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Opioids. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Pain Chapter, Opioids, Dosing

**MAXIMUS guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Opioids Page(s): 74-96.

**Decision rationale:** This patient sustained an injury on 9/8/08 while employed by [REDACTED]. Request(s) under consideration include Morphine Sulfate tab 100mg ER, 30 day supply, #90, Morphine Sulfate tab 30mg ER, 30 day supply, #90, and Oxycodone tab 30mg, 30 day supply, #180. Diagnoses include lumbago/ low back pain s/p laminectomy syndrome; and long-term prescription use. Medications list Promethazine, Xanax, Prilosec, MS-Contin 100 mg and 30mg and Roxicodone. Conservative care has included medications, therapy, and modified activities/rest. The patient was noted to not want to consider surgical or any interventional options. The patient continues to treat for chronic ongoing low back pain. Exam showed lumbar spine facet joint tenderness; decreased range in all planes. The patient had UDS that was positive for opioids. The request(s) for Morphine Sulfate tab 100mg ER, 30 day supply, #90, Morphine Sulfate tab 30mg ER, 30 day supply, #90, and Oxycodone tab 30mg, 30 day supply, #180 were non-certified on 10/15/14. Pain symptoms and clinical findings remain unchanged for this chronic injury. Submitted documents show no evidence that the treating physician is prescribing opioids in accordance to change in pain relief, functional goals with demonstrated improvement in daily activities, decreased in medical utilization or returned to work status. There is no evidence presented of random drug testing or utilization of pain contract to adequately monitor for narcotic safety, efficacy, and compliance. The MTUS provides requirements of the treating physician to assess and document for functional improvement with treatment intervention and maintenance of function that would otherwise

deteriorate if not supported. From the submitted reports, there is no demonstrated evidence of specific functional benefit derived from the continuing use of opioids with persistent severe pain for this chronic 2008 injury. In addition, submitted reports have not adequately demonstrated the specific indication to support for chronic opioid use without acute flare-up, new injuries, or progressive clinical deficits to support for chronic opioids outside recommendations of the guidelines. The Oxycodone tab 30mg, 30 day supply, #180 is not medically necessary and appropriate.