

<b>Case Number:</b>	CM14-0051585		
<b>Date Assigned:</b>	07/07/2014	<b>Date of Injury:</b>	11/02/2010
<b>Decision Date:</b>	08/21/2014	<b>UR Denial Date:</b>	03/31/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	04/18/2014

### 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 pain reportedly associated with an industrial injury of November 2, 2010. Thus far, the applicant has been treated with the following: Analgesic medications; attorney representations; transfer of care to and from various providers in various specialties; and unspecified amounts of physical therapy. In a Utilization Review Report dated March 31, 2014, the claims administrator approved a request for six sessions of deep tissue massage therapy while denying a request for topical Mentherm ointment. It was not stated whether Mentherm represented a first-time request or a renewal request, nor it was stated whether or not the applicant had had prior massage therapy. In a June 3, 2014 physical therapy progress note, the applicant acknowledged that she was not working but stated that she planned to return to work in July. In an April 26, 2014 physical therapy progress note, the applicant was described as a seasonal employee, apparently working only in summer. In a February 26, 2014 progress note, the applicant was described as reporting persistent complaints of pain, ranging from 7-9/10. The applicant stated that usage of medications did diminish her pain complaints. The applicant was given a refill of Mentherm ointment, which the attending provider posited was diminishing the applicant's pain complaints. The applicant was asked to continue home exercises. Additional massage therapy and manipulative therapy were sought.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Mentherm Ointment 15.00%, Menthol 10.00%: Overturned**

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

**MAXIMUS guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines . MTUS page 105, Salicylate Topicals topic.2. MTUS 9792.20f.3. MTUS page 7 Page(s): 105, 7.

**Decision rationale:** The MTUS Chronic Pain Medical Treatment Guidelines, salicylate topicals are recommended in the treatment of chronic pain, as is present here. The attending provider, moreover, has posited that ongoing usage of Mentherm has been beneficial. MTUS Chronic Pain Medical Treatment Guidelines stipulates that an attending provider incorporate some discussion of medication efficacy into his choice of recommendations. In this case, Mentherm has, per the attending provider, been beneficial in ameliorating the applicant's pain complaints and in improving the applicant's ability to perform home exercises on a regular basis. The employee intends to return to work as a seasonal employee in July 2014. Therefore, the request for Mentherm Ointment 15.00%, Menthol 10.00% is medically necessary and appropriate.