

Case Number:	CM14-0054848		
Date Assigned:	07/07/2014	Date of Injury:	03/22/2006
Decision Date:	08/29/2014	UR Denial Date:	04/21/2014
Priority:	Standard	Application Received:	04/24/2014

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:

This is a 47-year-old male with a 3/22/06 date of injury when he twisted, slipped and fell injuring his right knee. The patient was seen on 4/7/14 with complaints of unchanged low back and right knee pain. The patient's activity level remained the same and he continued to wear a knee brace. He stated that the medication helps with his pain and that he uses Salonpas patches that reduce his pain from 5-6/10 to 3/10. With the patch his pain is more tolerable and he can complete his activities of daily living (ADLs). The patient reported that the patch was also helpful reducing his pain during the flare-ups. The patient continued to take Celebrex that helps reduce the pain and stiffness. Exam findings of the lumbar spine revealed decreased range of motion and tenderness in the paravertebral muscles. Spinous process tenderness was noted on L3-L5 and lumbar facet loading was positive on both sides. The examination of the right knee revealed normal range of motion and tenderness to palpation over lateral and medial joint line and patella. The diagnosis is chronic axial back pain, status post right knee surgery and left ankle pain. Treatment to date included: right knee surgery, work restrictions and medications. An adverse determination was received on 4/21/14. The request for Salonpas Patch 10-3% #30 was denied due to a lack of documentation indicating that the patient tried and failed first-line medications to support the need for using topical analgesics.

IMR ISSUES, DECISIONS AND RATIONALES

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

Salonpas Patch 10 - 3% Qty: 30: Overturned

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

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Salicylate topicals Page(s): 105.

Decision rationale: CA MTUS states that topical salicylates (e.g., Ben-Gay, Aspercream, methyl salicylate) are significantly better than placebo in chronic pain. A search of online resources revealed that Salonpas Patch 3% active ingredients include menthol 3%, topical analgesic, and methyl Salicylate 10%, topical analgesic) used for temporarily relief of minor aches and pains of muscles and joints associated with single backache, arthritis, strains, bruises and sprains, and can be obtained over the counter. The progress note dated 4/7/14 stated that the patient highly benefited from using Salonpas patches. His pain level decreased from 5-6/10 to 3/10 and the patch reduced the pain during the flare-ups. With the use of Salopas patch the patient is able to perform his daily activities and his pain is more tolerable. Despite using Celebrex, it is reasonable for the patient to continue the treatment with Salonpas patches. Therefore, the request for Salonpas patch 10 - 3% qty: 30 is medically necessary.