

Case Number:	CM14-0072348		
Date Assigned:	07/16/2014	Date of Injury:	02/12/2008
Decision Date:	09/17/2014	UR Denial Date:	05/06/2014
Priority:	Standard	Application Received:	05/19/2014

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:

The injured worker is a 49 year-old male who sustained an injury on 02/12/08 while lifting to move water heater upstairs. As per the 03/19/14 report, the patient complained of neck and low back pain. He continues to have a lot of tightness in his upper back. ROM of the cervical spine was restricted with flexion limited to 35 degrees, extension limited to 30 degrees, right lateral bending limited to 20 degrees, left lateral bending limited to 20 degrees, lateral rotation to the left limited to 50 degrees and lateral rotation to the right limited to 35 degrees. Tenderness was noted to the cervical spine paravertebral muscles. Lumbar spine ROM was restricted. On palpation, paravertebral muscles, tenderness and tight muscle band is noted on both the sides. Lumbar facet loading is positive on the left side. Current medications include Flector patch, Omeprazole, and Orphenadrine and Lidocane patch was prescribed on 03/19/14 visit. The patient has allergy to pregabalin. The MRI of Cervical Spine dated 02/11/11 showed small anterior and posterior osteophytes, noted at the C5-C6 level with associated mild spinal stenosis and bilateral foraminal narrowing at this level, and reversal of the normal cervical lordosis, which may be secondary to patient positioning or muscle spasm. EMG was recommended. Diagnosis: Low back pain; cervical pain; lumbar radiculopathy; Mood disorder. The request for Flector patch is not medically necessary.

IMR ISSUES, DECISIONS AND RATIONALES

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

Flector patch: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Chronic Pain Medical Treatment Guidelines Page(s): 56-57, 63-65, 68-69, 111-113. Decision based on Non-MTUS Citation (ODG) Official Disability Guidelines Pain Topical Analgesics.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Topical analgesics Page(s): 111. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Pain.

Decision rationale: Per ODG guidelines, Flector patch (diclofenac epolamine) is not recommended as a first-line treatment. Topical diclofenac is recommended for osteoarthritis after failure of an oral NSAID or contraindications to oral NSAIDs, after considering the increased risk profile with diclofenac, including topical formulations. According to the guidelines, topical analgesics are considered to be largely experimental in use with few randomized controlled trials to determine efficacy or safety. The medical records do not establish the injured worker was unable to utilize and tolerate standard oral analgesics, which would be considered first-line therapy. It is also not established that the he has Osteoarthritis (OA) pain in a joint amenable to topical application. Thus, the medical necessity of Flector patch has not been established.