

Case Number:	CM14-0079504		
Date Assigned:	07/18/2014	Date of Injury:	07/29/2005
Decision Date:	08/15/2014	UR Denial Date:	05/07/2014
Priority:	Standard	Application Received:	05/30/2014

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 Anesthesiology, has a subspecialty in Pain Management 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:

According to the records made available for review, this is a 59-year-old female with a 7/29/05 date of injury. At the time (4/29/14) of request for authorization for Flector 1.3% transdermal 12 hour patch x 60 + 2, there is documentation of subjective (low back pain radiating to the left leg and foot with weakness and numbness, rated as a 7 out of 10, and depression) and objective (decreased Achilles reflexes bilaterally, decreased sensation over the L5-S1 dermatome, and positive straight leg raise test bilaterally) findings, current diagnoses (lumbar post-laminectomy syndrome), and treatment to date (Flector patch since at least 6/26/13 with 50% decrease in pain and better functionality; and ongoing therapy with Ibuprofen, Sertraline, and Zanaflex). There is no documentation of osteoarthritis pain in joints that lend themselves to topical treatment (ankle, elbow, foot, hand, knee, and wrist) and short-term use (4-12 weeks); failure of an oral NSAID or contraindications to oral NSAIDs and a condition/diagnosis for which diclofenac epolamine (1.3%) is indicated (such as: acute strains, sprains, and contusions).

IMR ISSUES, DECISIONS AND RATIONALES

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

Flector 1.3% transdermal 12 hour patch x 60 + 2: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Topical Analgesics. Decision based on Non-MTUS Citation ODG Pain Chapter.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Non-steroidal anti-inflammatory agents (NSAIDs) Page(s): 111-112. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Pain Chapter, Flector patch (diclofenac epolamine).

Decision rationale: MTUS Chronic Pain Medical Treatment Guidelines identifies documentation of osteoarthritis pain in joints that lend themselves to topical treatment (ankle, elbow, foot, hand, knee, and wrist) and short-term use (4-12 weeks), as criteria necessary to support the medical necessity of topical NSAIDs. MTUS-Definitions identifies that any treatment intervention should not be continued in the absence of functional benefit or improvement as a reduction in work restrictions; an increase in activity tolerance; and/or a reduction in the use of medications or medical services. ODG identifies documentation of failure of an oral NSAID or contraindications to oral NSAIDs and a condition/diagnosis (with supportive subjective/objective findings) for which diclofenac epolamine (1.3%) is indicated (such as: acute strains, sprains, and contusions), as criteria necessary to support the medical necessity of Flector patch. Within the medical information available for review, there is documentation of a diagnosis of lumbar post-laminectomy syndrome. In addition, given documentation of ongoing treatment with Flector patch with 50% decrease in pain and better functionality, there is documentation of functional benefit or improvement as an increase in activity tolerance as a result of use of Flector patch. However, despite documentation of chronic low back pain, there is no documentation of osteoarthritis pain in joints that lend themselves to topical treatment (ankle, elbow, foot, hand, knee, and wrist). In addition, given documentation of ongoing treatment with Flector patch since at least 6/26/13, there is no documentation of short-term use (4-12 weeks). Furthermore, given documentation of ongoing therapy with Ibuprofen, there is no documentation of failure of an oral NSAID or contraindications to oral NSAIDs. Lastly, despite documentation of subjective (low back pain radiating to the left leg and foot with weakness and numbness, rated as a 7 out of 10, and depression) and objective (decreased Achilles reflexes bilaterally, decreased sensation over the L5-S1 dermatome, and positive straight leg raise test bilaterally) findings, there is no documentation of a condition/diagnosis for which diclofenac epolamine (1.3%) is indicated (such as: acute strains, sprains, and contusions). Therefore, based on guidelines and a review of the evidence, the request for Flector 1.3% transdermal 12 hour patch x 60 + 2 is not medically necessary.