

<b>Case Number:</b>	CM14-0177961		
<b>Date Assigned:</b>	10/31/2014	<b>Date of Injury:</b>	04/18/1991
<b>Decision Date:</b>	07/27/2015	<b>UR Denial Date:</b>	10/01/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	10/27/2014

### 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. 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/Service. He/she is familiar with governing laws and regulations, including the strength of evidence hierarchy that applies to Independent Medical Review determinations.

The Expert Reviewer has the following credentials:

State(s) of Licensure: California

Certification(s)/Specialty: Physical Medicine & Rehabilitation

### 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 62 year old male, who sustained an industrial injury on 4/18/1991. Diagnoses have included chronic pain syndrome, post-laminectomy syndrome, unspecified myalgia and myositis and Reflex Sympathetic Dystrophy. Treatment to date has included chiropractic treatment, acupuncture, back surgery, physical therapy and medication. According to the progress report dated 9/12/2014, the injured worker complained of pain in the lower back described as burning. The pain radiated down the left leg. Average pain without medications was rated 6/10. The pain was improved with medication and with lying down. The last urine test was noted to be appropriate. Exam of the lumbar spine revealed pain with range of motion testing. There was tenderness to palpation over the lumbar facet joints. Authorization was requested for MS Contin.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**MS Contin 60 MG 1 Tab By Mouth Every 8 Hours for 30 Days Qty 90 with No Refills:**  
Upheld

**Claims Administrator guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Opioids Page(s): 78.

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

**Decision rationale:** Per the MTUS Guidelines, cite 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 functional 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 injury of 1991 without acute flare, new injury, or progressive deterioration. The MS Contin 60 MG 1 Tab By Mouth Every 8 Hours for 30 Days Qty 90 with No Refills is not medically necessary and appropriate.