

Case Number:	CM15-0101881		
Date Assigned:	06/04/2015	Date of Injury:	02/16/2010
Decision Date:	07/03/2015	UR Denial Date:	05/06/2015
Priority:	Standard	Application Received:	05/27/2015

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: Preventive Medicine, Occupational Medicine

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 47-year-old female, who sustained an industrial injury on 2/16/2010. She reported injury of the head, neck after a fire extinguisher fell, and its contents sprayed her on the right side of her face. The injured worker was diagnosed as having cervical disc degeneration, and cervical spondylosis without myelopathy. Treatment to date has included magnetic resonance imaging of the cervical spine (5/28/2010, 4/8/2011), electrodiagnostic studies (6/9/2010), CT scan of the sinuses (7/6/2010), and rhizotomy. The request is for Lidoderm 5% patches. On 4/29/2015, she complained of neck pain, and upper thoracic pain. She rated her pain 4/10, and described it as aching. Her current medications are Lidoderm patches, Aleve PM. She is reported to have stopped taking Gralise due to stomach irritation. She had a cervical facet rhizotomy on 7/30/2014, which she is reported to have had significant pain relief. Physical examination is noted as a decreased cervical flexion and extension, and decreased lateral side bend and axial rotation. The treatment plan included: refilling Lidoderm patches, work restrictions, activities as tolerated, and follow up.

IMR ISSUES, DECISIONS AND RATIONALES

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

Lidoderm 5% patch, #90: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Topical Analgesics Page(s): 112.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Topical Analgesics Section Page(s): 111-113.

Decision rationale: Topical lidocaine is used primarily for neuropathic pain when trials of antidepressant and anticonvulsants have failed. Topical lidocaine, in the formulation of a dermal patch (Lidoderm) has been designated for orphan status by the FDA for neuropathic pain. Lidoderm is also used off-label for diabetic neuropathy. No other commercially approved topical formulations of lidocaine (whether creams, lotions or gels) are indicated for neuropathic pain. Non-dermal patch formulations are generally indicated as local anesthetics and anti-pruritics. The available documentation reveals objective evidence of neuropathic pain. The injured worker has previously been reported to be benefiting from the use of Lidoderm patches. She is reported to have the most benefit from Lidoderm for her chronic neck pain and it helps her sleep at night. The most recent progress report however does not provide an assessment of the efficacy of Lidoderm to establish continued necessity. This request is also for three months supply, but the injured worker is to follow up in two months, at which time the usefulness of Lidoderm should be reassessed to determine if continued use is necessary. The request for Lidoderm 5% patch, #90 is determined to not be medically necessary.