

<b>Case Number:</b>	CM15-0102896		
<b>Date Assigned:</b>	06/05/2015	<b>Date of Injury:</b>	07/09/2009
<b>Decision Date:</b>	07/10/2015	<b>UR Denial Date:</b>	04/28/2015
<b>Priority:</b>	Standard	<b>Application Received:</b>	05/28/2015

### 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: New Jersey, Alabama, California  
 Certification(s)/Specialty: Neurology, Neuromuscular 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 42-year-old female, who sustained an industrial injury on 7/09/2009. Diagnoses include chronic pain, chronic pain syndrome, pain in joint lower leg, and degeneration lumbar/lumbosacral disc. Treatment to date has included injections, acupuncture, bracing, TENS unit and medications including Ibuprofen, Amlodipine, Hydrochlorothiazide, Tylenol, Lipitor and Metformin. Per the Primary Treating Physician's Progress Report dated 3/19/2015, the injured worker reported significant improvement since a lumbar facet diagnostic injection (3/03/2015). Pain has been reduced from 8/10 to 2-3/10. Physical examination revealed an antalgic gait. The plan of care included topical medications and authorization was requested for topical capsaicin 0.075% dispensed on 2/16/2012.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Topical Capsaicin 0.075%, apply TID QTY: 1 (dispensed 02/16/2012): Upheld**

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

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

**Decision rationale:** According to MTUS, in Chronic Pain Medical Treatment, guidelines section Topical Analgesics (page 111), topical analgesics are largely experimental in use with few randomized controlled trials to determine efficacy or safety. Many agents are combined to other pain medications for pain control. There is limited research to support the use of many of these agents. Furthermore, according to MTUS guidelines, any compounded product that contains at least one drug or drug class that is not recommended is not recommended. The proposed topical analgesic contains capsaicin a topical analgesic not recommended by MTUS. Furthermore, there is no documentation of failure or intolerance of first line oral medications for the treatment of pain. Based on the above, Copical Capsaicin 0.075% is not medically necessary.