

Case Number:	CM15-0104396		
Date Assigned:	06/08/2015	Date of Injury:	06/30/2003
Decision Date:	07/14/2015	UR Denial Date:	05/14/2015
Priority:	Standard	Application Received:	06/01/2015

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 60 year old female, who sustained an industrial injury on 6/30/2003. She reported low back pain. The injured worker was diagnosed as having post laminectomy syndrome of lumbar, lower extremity neuropathy and radiculopathy, peripheral neuropathy, and indwelling permanent spinal cord stimulator. Treatment to date has included medications, low back surgery, and spinal cord stimulator. The request is for Norco, Lidoderm patches, and cognitive behavioral therapy. On 5/6/2015, current medications are listed as: Topamax, Robaxin, Norco, Percocet, Mirapex, Fentanyl patches, and topical Lidoderm. She complained of continued low back pain with buttock and leg pain despite lumbar spine surgery. She had radiofrequency ablation on 4/24/2015, and indicated this relieved her pain by 100%. Physical findings noted hypersensitivity with manipulation of the right lower extremity, and increased low back pain with facet maneuvers. The treatment plan included: follow up in 2 weeks.

IMR ISSUES, DECISIONS AND RATIONALES

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

60 Norco 2.5/325 MG: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Opioids.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Criteria for use of opioids Page(s): 76-79.

Decision rationale: According to MTUS guidelines, Norco (Hydrocodone/Acetaminophen) is a synthetic opioid indicated for the pain management but not recommended as a first line oral analgesic. In addition and according to MTUS guidelines, ongoing use of opioids should follow specific rules: (a) Prescriptions from a single practitioner taken as directed, and all prescriptions from a single pharmacy. (b) The lowest possible dose should be prescribed to improve pain and function. (c) Office: Ongoing review and documentation of pain relief, functional status, appropriate medication use, and side effects. Four domains have been proposed as most relevant for ongoing monitoring of chronic pain patients on opioids: pain relief, side effects, physical and psychosocial functioning, and the occurrence of any potentially aberrant (or non adherent) drug- related behaviors. These domains have been summarized as the "4 A's" (analgesia, activities of daily living, adverse side effects, and aberrant drug taking behaviors). The monitoring of these outcomes over time should affect therapeutic decisions and provide a framework. According to the patient file, there is no objective documentation of pain and functional improvement to justify continuous use of Norco. Norco was used for longtime without documentation of functional improvement or evidence of return to work or improvement of activity of daily living. There is no documentation of compliance of the patient with his medications. Therefore, the prescription of 60 Norco 2.5/325 MG is not medically necessary.

Lidoderm Patch 5 Percent: Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Pain (Chronic).

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Lidoderm (lidocaine patch) Page(s): 56.

Decision rationale: According to MTUS guidelines, "Lidoderm is the brand name for a lidocaine patch produced by Endo Pharmaceuticals. Topical lidocaine may be recommended for localized peripheral pain after there has been evidence of a trial of first-line therapy (tri-cyclic or SNRI anti-depressants or an AED such as gabapentin." In this case, there is no documentation that the patient developed neuropathic pain that did not respond to first line therapy and the need for Lidoderm patch is unclear. There is no documentation of efficacy of previous use of Lidoderm patch. Therefore, the prescription of Lidoderm Patch 5 Percent is not medically necessary.

8 Sessions of Cognitive Behavioral Therapy: Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG).

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Cognitive behavioral therapy (CBT). <http://www.odg-twc.com/index.html>.

Decision rationale: According to ODG guidelines, cognitive therapy for specific guidelines, see Cognitive therapy for amputation; Cognitive therapy for depression; Cognitive therapy for opioid dependence; Cognitive therapy for panic disorder; Cognitive therapy for PTSD; Cognitive therapy for general stress; Cognitive behavioral stress management (CBSM) to reduce injury and illness; Dialectical behavior therapy; Exposure therapy (ET); Eye movement desensitization & reprocessing (EMDR); Hypnosis; Imagery rehearsal therapy (IRT); Insomnia treatment; Mind/body interventions (for stress relief); Psychodynamic psychotherapy; Psychological debriefing (for preventing post-traumatic stress disorder); Psychological evaluations; Psychological evaluations, IDDS & SCS (intrathecal drug delivery systems & spinal cord stimulators); Psychosocial /pharmacological treatments (for deliberate self harm); Psychosocial adjunctive methods (for PTSD); Psychotherapy for MDD (major depressive disorder); PTSD psychotherapy interventions; Stress management, behavioral/cognitive (interventions); Telephone CBT (cognitive behavioral therapy); Computer-assisted cognitive therapy. Studies show that a 4 to 6 session trial should be sufficient to provide evidence of symptom improvement, but functioning and quality of life indices do not change as markedly within a short duration of psychotherapy as do symptom-based outcome measures. (Crits-Christoph, 2001) CBT, whether self-guided, provided via telephone or computer, or provided face to face, is better than no care in a primary care setting and is also better than treatment as usual, according to a meta-analysis. A subanalysis showed the strongest evidence for CBT in anxiety. For depression alone, CBT compared with no treatment had a medium effect size, computerized CBT had a medium effect, and guided self-help CBT for both depression and anxiety produced a small effect size. (Twomey, 2014) See Number of psychotherapy sessions for more information. ODG Psychotherapy Guidelines: Up to 13-20 visits over 7-20 weeks (individual sessions), if progress is being made. (The provider should evaluate symptom improvement during the process, so treatment failures can be identified early and alternative treatment strategies can be pursued if appropriate.) In cases of severe Major Depression or PTSD, up to 50 sessions if progress is being made. There is no documentation from the patient file an objective evaluation of the patient cognitive function. There is no documentation of the goals and objectives of the proposed cognitive therapy and no clear justification for the length of the therapy. There is no documentation how the patient will be monitored during the proposed therapy. Therefore, the request for 8 Sessions of Cognitive Behavioral Therapy is not medically necessary.