

Case Number:	CM15-0133008		
Date Assigned:	07/21/2015	Date of Injury:	06/10/2004
Decision Date:	08/20/2015	UR Denial Date:	06/11/2015
Priority:	Standard	Application Received:	07/09/2015

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: Texas, Florida, 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 45 year old male, who sustained an industrial injury on June 10, 2004. The injured worker was diagnosed as having failed lumbar surgery, chronic pain, lumbar disc and facet pain, myofascial pain, anxiety and depression. Treatment to date has included surgery, physical therapy, and medication, x-rays, electromyogram and nerve conduction study. A progress note dated May 11, 2015 provides the injured worker complains of back and buttock pain. He rates the pain 8-9/10 without medication and 3/10 with medication. He reports his depression is being treated by the VA. Physical exam notes lumbar tenderness of the facet joints and paraspinal area with slight tenderness of the sacroiliac joints. Straight leg raise is painful in the buttocks. X-rays, electromyogram and nerve conduction study were reviewed. The plan includes Norco and Kadian.

IMR ISSUES, DECISIONS AND RATIONALES

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

Norco 10mg #120: Upheld

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

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Page(s): 79, 80 and 88 of 127.

Decision rationale: This claimant was injured in 2004 with diagnoses of having failed lumbar surgery, chronic pain, lumbar disc and facet pain, myofascial pain, anxiety and depression. Treatment to date has included medication. As of May 11, 2015, there was still back and buttock pain. Objective, functional improvement out of the opiate regimen is not noted. The current California web-based MTUS collection was reviewed in addressing this request. They note in the Chronic Pain section: When to Discontinue Opioids: Weaning should occur under direct ongoing medical supervision as a slow taper except for the below mentioned possible indications for immediate discontinuation. They should be discontinued:(a) If there is no overall improvement in function, unless there are extenuating circumstances. When to Continue Opioids: (a) If the patient has returned to work; (b) If the patient has improved functioning and pain. In the clinical records provided, it is not clearly evident these key criteria have been met in this case. Moreover, in regards to the long term use of opiates, the MTUS also poses several analytical necessity questions such as: has the diagnosis changed, what other medications is the patient taking, are they effective, producing side effects, what treatments have been attempted since the use of opioids, and what is the documentation of pain and functional improvement and compare to baseline. These are important issues, and they have not been addressed in this case. As shared earlier, there especially is no documentation of functional improvement with the regimen. The request for the opiate usage is not medically necessary per MTUS guideline review.

Kadian 50mg #60: Upheld

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

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Page(s): 79, 80 and 88 of 127.

Decision rationale: As shared previously, this claimant was injured in 2004 with diagnoses of having failed lumbar surgery, chronic pain, lumbar disc and facet pain, myofascial pain, anxiety and depression. Treatment to date has included medication. As of May 11, 2015, there was still back and buttock pain. Objective, functional improvement out of the opiate regimen is not noted. The current California web-based MTUS collection was reviewed in addressing this request. Kadian is a form of Morphine Sulfate, a potent opiate medicine. In regards to the long term use of opiates, the MTUS also poses several analytical necessity questions such as: has the diagnosis changed, what other medications is the patient taking, are they effective, producing side effects, what treatments have been attempted since the use of opioids, and what is the documentation of pain and functional improvement and compare to baseline. As shared earlier, there especially is no documentation of functional improvement with the regimen. The request for this opiate usage also is not medically necessary per MTUS guideline review.