

Case Number:	CM15-0136128		
Date Assigned:	07/24/2015	Date of Injury:	01/19/2010
Decision Date:	08/25/2015	UR Denial Date:	07/09/2015
Priority:	Standard	Application Received:	07/14/2015

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, New York, 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 applicant is a represented 64-year-old who has filed a claim for chronic neck and shoulder pain reportedly associated with an industrial injury of January 19, 2010. In a Utilization Review report dated July 9, 2015, the claims administrator failed to approve a request for topical Flector patches. The claims administrator referenced an RFA form received on July 6, 2015 and an associated progress note of June 17, 2015 in its determination. The applicant's attorney subsequently appealed. On June 17, 2015, the applicant reported ongoing complaints of shoulder pain status post earlier shoulder surgery on October 22, 2014. Ancillary complaints of neck pain were reported. The applicant was diabetic, it was reported, was using insulin, Cozaar, hydrochlorothiazide, and Pepcid. The applicant received a shoulder corticosteroid injection in the clinic. The applicant was given an extremely proscriptive 2-pound lifting limitation. It was not clearly stated whether the applicant was or was not working with said limitation in place, although this did not appear to be the case. Analgesic medication selection and/or efficacy were not discussed or detailed. Norco was endorsed via an RFA form dated June 19, 2015. The applicant was given Flexeril via a progress note dated June 8, 2015.

IMR ISSUES, DECISIONS AND RATIONALES

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

Flector 1.3% patch quantity 30 with 3 refills: Upheld

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

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Voltaren Gel 1% (diclofenac) Page(s): 112.

Decision rationale: No, the request for topical Flector patches was not medically necessary, medically appropriate, or indicated here. Topical Flector is a derivative of topical diclofenac (Voltaren). However, page 112 of the MTUS Chronic Pain Medical Treatment Guidelines notes that topical Voltaren (diclofenac) has not been evaluated for treatment of the spine, hip, and/or shoulder. Here, the applicant's primary pain generator was the shoulder, i.e., a body part for which topical diclofenac/Voltaren/Flector has not been evaluated. The applicant's secondary pain generator was the cervical spine, i.e., another body part for which topical diclofenac/Voltaren/Flector has not been evaluated. The attending provider failed to furnish a clear or compelling rationale for selection of topical Flector/diclofenac/Voltaren in the face of the tepid-to-unfavorable MTUS position on the same for the body parts in question, the shoulder and cervical spine. The applicant's ongoing usage of first-line oral pharmaceuticals such as Norco, furthermore, effectively obviated the need for the Flector patches in question. Therefore, the request was not medically necessary.