

Case Number:	CM15-0137988		
Date Assigned:	07/27/2015	Date of Injury:	02/28/2013
Decision Date:	08/24/2015	UR Denial Date:	06/17/2015
Priority:	Standard	Application Received:	07/16/2015

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: Emergency 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 38 year female who sustained an industrial injury on February 28, 2013. She describes operating a lever repetitively and caused pain to her neck and upper back. She has reported pain in the upper shoulder and neck and has been diagnosed with long-term use of medications and sprains and strains of the neck. Treatment has included medications, physical therapy, modified work duty, and acupuncture. There was spasm and hyper-tonicity in the cervical paraspinal and upper trapezius muscles. There was mild tenderness to palpation. The treatment plan included soft tissue immobilization, massage therapy, MRI, and medications. The treatment request included Capsaicin cream.

IMR ISSUES, DECISIONS AND RATIONALES

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

Capsaicin 0.075% cream, apply to affected area three times a day Pepper Cream, QTY: 1:
Upheld

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

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

Decision rationale: The requested Capsaicin 0.075% cream, apply to affected area three times a day Pepper Cream, QTY: 1, is not medically necessary. California Medical Treatment Utilization Schedule (MTUS), 2009, Chronic pain, page 111-113, Topical Analgesics, do not recommend topical analgesic creams as they are considered "highly experimental without proven efficacy and only recommended for the treatment of neuropathic pain after failed first-line therapy of antidepressants and anticonvulsants." The injured worker has pain in the upper shoulder and neck and has been diagnosed with long-term use of medications and sprains and strains of the neck. Treatment has included medications, physical therapy, modified work duty, and acupuncture. There was spasm and hyper-tonicity in the cervical paraspinal and upper trapezius muscles. There was mild tenderness to palpation. The treating physician has not documented trials of antidepressants or anti-convulsants. The treating physician has not documented intolerance to similar medications taken on an oral basis, nor objective evidence of functional improvement from any previous use. The criteria noted above not having been met, Capsaicin 0.075% cream, apply to affected area three times a day Pepper Cream, QTY: 1 is not medically necessary.