

Case Number:	CM15-0183617		
Date Assigned:	09/24/2015	Date of Injury:	09/08/2004
Decision Date:	11/06/2015	UR Denial Date:	09/11/2015
Priority:	Standard	Application Received:	09/18/2015

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 [REDACTED] beneficiary who has filed a claim for chronic neck pain reportedly associated with an industrial injury of September 8, 2004. In a Utilization Review report dated September 11, 2015, the claims administrator failed to approve a request for fentanyl (Duragesic). The claims administrator referenced a September 3, 2015 RFA form and associated progress notes of August 23, 2015 and August 4, 2015 in its determination. The applicant's attorney subsequently appealed. On a September 3, 2015 RFA form, fentanyl was sought. On an associated progress note dated August 25, 2015, the applicant reported multifocal complaints of neck, upper extremity, wrist, and shoulder pain. The applicant was status post earlier radiofrequency ablation procedures. The attending provider contended that Duragesic patches were reducing the applicant's pain complaints by 75% and improving the applicant's ability to perform unspecified personal activities of daily living. The applicant was in mild distress in the clinic. Duragesic was ultimately renewed. The applicant's work status was not explicitly detailed, although it did not appear that the applicant was working.

IMR ISSUES, DECISIONS AND RATIONALES

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

Fentanyl patch 12mcg #15: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Medical Treatment 2009.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Medical Treatment 2009, Section(s): Opioids, criteria for use.

Decision rationale: No, the request for fentanyl (Duragesic), a long-acting opioid, was not medically necessary, medically appropriate, or indicated here. As noted on page 80 of the MTUS Chronic Pain Medical Treatment Guidelines, the cardinal criteria for continuation of opioid therapy include evidence of successful return to work, improved functioning, and/or reduced pain achieved as a result of the same. Here, however, the applicant's work status was not reported on an August 25, 2015 office visit, referenced above, suggesting that the applicant was not, in fact, working. While the treating provider contended that the applicant's medications were beneficial, these reports were, however, outweighed by the attending provider's failure to report the applicant's work status, the applicant's seeming failure to return to work, and the attending provider's failure to outline meaningful, material, and/or substantive improvements in function (if any) effected as a result of ongoing fentanyl usage. The attending provider's commentary to the effect that the applicant's ability to perform personal activities of daily living in unspecified amounts did not, in and of itself, constitute a substantive improvement in function achieved as a result of ongoing Duragesic usage. Therefore, the request was not medically necessary.