

Case Number:	CM15-0194014		
Date Assigned:	10/07/2015	Date of Injury:	06/18/2009
Decision Date:	11/23/2015	UR Denial Date:	09/01/2015
Priority:	Standard	Application Received:	10/02/2015

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: Massachusetts

Certification(s)/Specialty: Anesthesiology, Pain Management

CLINICAL CASE SUMMARY

The expert reviewer developed the following clinical case summary based on a review of the case file, including all medical records:

This 60 year old female sustained an industrial injury on 6-19-09. Documentation indicated that the injured worker was receiving treatment for right foot and ankle pain secondary to a peroneus longus tear and left knee pain. Previous treatment included surgical reconstruction of the lateral portion of the ankle (2009), lumbar sympathetic block (2010), removal of hardware (2010), chiropractic therapy and medications. In a PR-2 dated 3-3-15, the injured worker complained of ongoing right foot and ankle pain associated with difficulty with balance and flexing and extending the foot. Physical exam was remarkable for right foot and ankle with tenderness to palpation and range of motion: dorsiflexion 30 degrees, plantar flexion 45 degrees, inversion and eversion 5 degrees and great toe dorsiflexion 50 degrees. The treatment plan included continuing home exercise, ice as needed and Norco as needed. In PR-2's dated 4-23-15, 6-4-15 and 7-3-15, the injured worker complained of ongoing right foot and ankle pain. In the most recent applicable documentation submitted for review, an appeal of denial dated 7-24-15, the physician noted that there had been a change in the injured worker's condition. In the last week, the injured worker had begun to experience "severe" right ankle and foot pain and substantial swelling. Physical exam was remarkable for right foot and ankle range of motion: dorsiflexion 30 degrees, plantar flexion 45 degrees, inversion and eversion 5 degrees, great toe dorsiflexion 50 degrees, tenderness to palpation on the foot and ankle, "substantial" swelling occupational therapy the lateral side of the ankle extending to the toe, "exquisite" tenderness to palpation along the peroneus brevis and 4 out of 5 ankle strength. The injured worker was able to do a single toe raise with pain and difficulty. The injured worker walked with an antalgic gait using a

cane to ambulate. The treatment plan included continuing use of Pennsaid, renewing Norco early as she was experiencing increasing pain and an updated magnetic resonance imaging right ankle. On 8-31-15, Utilization Review noncertified a request for Norco 10-325mg #30.

IMR ISSUES, DECISIONS AND RATIONALES

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

Norco 10/325mg #30: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Medical Treatment 2009, Section(s): Opioids for chronic pain.

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

Decision rationale: According to the MTUS Chronic Pain Medical Treatment Guidelines section on Opioids, On-Going Management, p 74-97, (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. Pain assessment should include: current pain; the least reported pain over the period since last assessment; average pain; intensity of pain after taking the opioid; how long it takes for pain relief; and how long pain relief lasts. Satisfactory response to treatment may be indicated by the injured worker's decreased pain, increased level of function, or improved quality of life.

Information from family members or other caregivers should be considered in determining the injured worker's response to treatment. The 4 A's for Ongoing Monitoring: Four domains have been proposed as most relevant for ongoing monitoring of chronic pain injured workers 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 for documentation of the clinical use of these controlled drugs. (Passik, 2000) (d) Home: To aid in pain and functioning assessment, the injured worker should be requested to keep a pain diary that includes entries such as pain triggers, and incidence of end-of-dose pain. It should be emphasized that using this diary will help in tailoring the opioid dose. This should not be a requirement for pain management. (e) Use of drug screening or uninjured worker treatment with issues of abuse, addiction, or poor pain control. (f) Documentation of misuse of medications (doctor-shopping, uncontrolled drug escalation, drug diversion). (g) Continuing review of overall situation with regard to non-opioid means of pain control. (h) Consideration of a consultation with a multidisciplinary pain clinic if doses of opioids are required beyond what is usually required for the condition or pain does not improve on opioids in 3 months. Consider a psych consult if there is evidence of depression, anxiety or irritability. Additionally, the MTUS states that continued use of opioids requires (a) the injured worker has returned to work, (b) the injured worker has improved functioning and pain. There is no current documentation of baseline pain, pain score with use of opioids, functional improvement on current regimen, side effects or review of potentially aberrant drug taking behaviors as outlined in the MTUS and as required for ongoing treatment. Therefore, at this time, the requirements for treatment have not been met and medical necessity has not been established. The request is not medically necessary.