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| Case Number: | CM15-0195997 | | |
| Date Assigned: | 10/09/2015 | Date of Injury: | 10/18/2009 |
| Decision Date: | 11/18/2015 | UR Denial Date: | 09/22/2015 |
| Priority: | Standard | Application Received: | 10/05/2015 |

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, Oregon, Washington
 Certification(s)/Specialty: Orthopedic Surgery

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 old female, who sustained an industrial injury on 10-18-2009. The medical records indicate that the injured worker is undergoing treatment for status post cervical fusion, C5-6 pseudarthrosis, left C6 and C7 radiculopathy, and C6-7 moderate left foraminal stenosis. According to the progress report dated 6-10-2014, the injured worker presented with complaints of worsening neck pain with numbness extending down the left upper extremity to the finger tips. The level of pain is not rated. The physical examination of the cervical spine reveals tenderness to palpation over the paracervical muscles and across the trapezius bilaterally, decreased sensation over the left C5, C6, C7, and C8 dermatome distribution, and restricted and painful range of motion. The current medications are Oxycodone, Motrin, Voltaren gel, and Zanaflex. Previous diagnostic studies include electrodiagnostic testing, and MRI. Treatments to date include medication management, physical therapy, and surgical intervention. Work status is not indicated. The original utilization review (9-21-2015) had non-certified a request for Lidocaine 5% ointment.

IMR ISSUES, DECISIONS AND RATIONALES

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

Lidocaine 5% ointment quantity 35: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Medical Treatment 2009, Section(s): Topical Analgesics.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Medical Treatment 2009, Section(s): Lidoderm (lidocaine patch), Topical Analgesics.

Decision rationale: Per the CA MTUS regarding topical analgesics, Chronic Pain Medical Treatment Guidelines, Topical analgesics, page 111-112 "Largely experimental in use with few randomized controlled trials to determine efficacy or safety. Primarily recommended for neuropathic pain when trials of antidepressants and anticonvulsants have failed. There is little to no research to support the use of many of these agents. Any compounded product that contains at least one drug (or drug class) that is not recommended is not recommended." Therefore the determination is for non-certification. According to the CA MTUS Chronic Pain Medical Treatment Guidelines, page 56 and 57, regarding Lidocaine, may be recommended for localized peripheral pain after there has been evidence of a trial of first-line therapy (tri-cyclic or SNRI anti-depressants or an AED such as gabapentin or Lyrica). This is not a first-line treatment and is only FDA approved for post-herpetic neuralgia. Further research is needed to recommend this treatment for chronic neuropathic pain disorders other than post-herpetic neuralgia. In this case the exam note from 6/10/14 demonstrates there is no evidence of failure of first line medications such as gabapentin or Lyrica. Therefore the request is not medically necessary and non-certified.