MAXIMUS Federal Services

Case Number:	CM15-0199760		
Date Assigned:	10/15/2015	Date of Injury:	10/11/2002
Decision Date:	11/25/2015	UR Denial Date:	10/05/2015
Priority:	Standard	Application Received:	10/12/2015

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: North Carolina
Certification(s)/Specialty: Family Practice

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 69 year old male, who sustained an industrial injury on 10-11-02. The injured worker is diagnosed with chronic low back pain, post lumbar fusion and lumbar spondylosis. His work-disability status was not addressed. Notes dated 6-8-15 and 9-28-15 reveals the injured worker presented with complaints of low back pain described as constant pressure and is rated at 5-6 out of 10. He reports he was unable to engage in gardening and exercise and found it difficult to cook without medication. A physical examination dated 9-28-15 revealed mild discomfort, mildly limited lumbar range of motion and diminished sensation over the dorsum of the right foot and toes. Treatment to date has included medications; Ambien (minimum of 5 months), Tramadol (minimum of 5 months) and Norco (minimum of 5 months) reduce his pain from 5-6 out of 10 to 2 out of 10 and lasts for 3 to 4 hours. He has engaged in physical therapy, chiropractic therapy, epidural injections and surgical intervention (L4-L5 interbody fusion and laminectomy 2003) resolved his lower extremity symptoms, but continued with low back pain, per note dated 4-9-15. Diagnostic studies to date has included urine toxicology screen dated 5-11-15 is consistent with prescribed medications per note dated 9-28-15 and a lumbar myelogram and CT scan (2005). A request for authorization dated 9-24-15 for Norco 5-325 mg #90, Tramadol ER 200 mg # 30 and Ambien 12.5 mg #30 is non-certified, per Utilization Review letter dated 10-5-15.

IMR ISSUES, DECISIONS AND RATIONALES

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

Norco 5/325mg #90: Upheld

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

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

Decision rationale: When to Continue Opioids (a) If the patient has returned to work (b) If the patient has improved functioning and pain (Washington, 2002) (Colorado, 2002) (Ontario, 2000) (VA/DoD, 2003) (Maddox-AAPM/APS, 1997) (Wisconsin, 2004) (Warfield, 2004) The long-term use of this medication class is not recommended per the California MTUS unless there documented evidence of benefit with measurable outcome measures and improvement in function. There is documented significant decrease in objective pain measures such as VAS scores for significant periods of time with pain decreased from a 6/10 to a 2/10. There are no objective measures of improvement of function or how the medication improves activities. The work status is not mentioned. Therefore, not all criteria for the ongoing use of opioids have been met and the request is not medically necessary.

Tramadol ER 200mg #30: Upheld

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

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

Decision rationale: When to Continue Opioids (a) If the patient has returned to work (b) If the patient has improved functioning and pain (Washington, 2002) (Colorado, 2002) (Ontario, 2000) (VA/DoD, 2003) (Maddox-AAPM/APS, 1997) (Wisconsin, 2004) (Warfield, 2004) The long-term use of this medication class is not recommended per the California MTUS unless there documented evidence of benefit with measurable outcome measures and improvement in function. There is documented significant decrease in objective pain measures such as VAS scores for significant periods of time with pain decreased from a 6/10 to a 2/10. There are no objective measures of improvement of function or how the medication improves activities. The work status is not mentioned. Therefore, not all criteria for the ongoing use of opioids have been met and the request is not medically necessary.

Ambien 12.5mg #30: Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), TWC Pain Chapter updated 09/08/2015.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) insomnia.

Decision rationale: The California MTUS and the ACOEM do not specifically address this medication. Per the official disability guidelines recommend pharmacological agents for insomnia only is used after careful evaluation of potential causes of sleep disturbance. Primary insomnia is usually addressed pharmacologically. Secondary insomnia may be treated with pharmacological and/or psychological measures. Pharmacological treatment consists of four main categories: Benzodiazepines, non-benzodiazepines, Melatonin and melatonin receptor agonists and over the counter medications. Sedating antidepressants have also been used to treat insomnia however there is less evidence to support their use for insomnia, but they may be an option in patients with coexisting depression. The patient does not have the diagnosis of primary insomnia or depression. There is also no documentation of first line insomnia treatment options such as sleep hygiene measures. Therefore, the request is not medically necessary.