

Case Number:	CM15-0205139		
Date Assigned:	10/22/2015	Date of Injury:	10/15/2009
Decision Date:	12/09/2015	UR Denial Date:	09/29/2015
Priority:	Standard	Application Received:	10/19/2015

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, California
 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 57 year old male who sustained an industrial injury on October 15, 2009. The worker is being treated for: lumbar strain. Subjective: March 25, 2015, he states "his low back pain is pretty manageable with the current medications," and without medications the pain is "horrible." May 13, 2015, he reports not received medications and currently having low back pain rated an 8 in intensity out of 10; however, when he's taking medication "he was fully functional." July 01, 2015, he is still not receiving his medications. Objective: March 25, 2015, lumbar spine found with tightness and stiffness at L4-5 and L5-S1 primarily on the left. There is note of a positive SLR on left from sitting position at 45 degrees. July 01, 2015, he can still flex to 6 inches, but painful. Medication: March 25, 2015: prescribed Norco, Baclofen, and Fenoprofen. May 13, 2015, July 01, 2015: prescribed Neurontin, Flexeril, and Flur-lido cream. As per the records provided note dated 9/9/15 the patient had complaints of low back pain at 8-9/10 Physical examination of the lumbar spine revealed tenderness on palpation, limited range of motion and positive SLR.

IMR ISSUES, DECISIONS AND RATIONALES

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

Biofreeze ointment #120gm RX 9/9/15: 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), Low Back-Biofreeze cryotherapy gel.

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

Decision rationale: Biofreeze contains menthol in a topical formulation. According to the MTUS Chronic Pain Guidelines regarding topical analgesics state that the use of topical analgesics is 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. MTUS guidelines recommend topical analgesics for neuropathic pain only when trials of antidepressants and anticonvulsants have failed to relieve symptoms. A trial of antidepressants and anticonvulsants for these symptoms were not specified in the records provided. Intolerance or contraindication to oral medications was not specified in the records provided. Evidence of diminished effectiveness of oral medications was not specified in the records provided. There is also no evidence that menthol is recommended by the CA, MTUS Chronic Pain Treatment Guidelines. Topical menthol is not recommended in this patient for this diagnosis. The medical necessity of the Biofreeze ointment #120gm RX 9/9/15 is not medically necessary for this patient.