

Case Number:	CM15-0049925		
Date Assigned:	03/23/2015	Date of Injury:	07/05/2013
Decision Date:	05/01/2015	UR Denial Date:	02/16/2015
Priority:	Standard	Application Received:	03/17/2015

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 57-year-old who has filed a claim for chronic neck, upper back, and low back pain reportedly associated with an industrial injury of July 5, 2013. In a Utilization Review Report dated February 16, 2015, the claims administrator failed to approve request for a topical compounded agent, namely Terocin and Thera-Gesic cream. The claims administrator referenced an RFA form received on February 13, 2015 and associated progress note of February 12, 2015, in its determination. The applicant's attorney subsequently appealed. In an RFA form of February 13, 2015, Ultracet, Prilosec, physical therapy, aquatic therapy and the topical compounded agents in question were prescribed and/or dispensed.

IMR ISSUES, DECISIONS AND RATIONALES

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

Thera-gesic Cream: Overturned

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Salicylate Topical Page(s): 105.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Salicylate topicals Page(s): 105. Decision based on Non-MTUS Citation Shop for Thera Gesic on

GoogleThera-Gesic Maximum Strength Analgesic - 3 ozThera-Gesic Maximum Strength.. [REDACTED] WalmartThera-gesic Maximum Strength Pain Relieving Creme, 5 ozThera-gesic Maximum Strength.. [REDACTED] Drugstore.com(8)Thera-gesic Maximum Strength Pain Relieving CremeThera-gesic Maximum Strength.. [REDACTED] Walgreens.com(8).

Decision rationale: Yes, the request for Thera-Gesic cream was medically necessary, medically appropriate, and indicated here. Based on the product description, Thera-Gesic appears to be an inexpensive salicylate topical, ranging anywhere from \$3 to \$7 in price. As noted on page 105 of the MTUS Chronic Pain Medical Treatment Guidelines, salicylate topicals such as Thera-Gesic are recommended in the chronic pain context present here. Continuing the same, on balance, was indicated, given its low risk and inexpensive cost. Therefore, the request was medically necessary.

Terocin Patch: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Topical Analgesics Page(s): 111-113.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Capsaicin, topical Page(s): 28. Decision based on Non-MTUS Citation Search ResultsDailyMed - TEROCIN- methyl salicylate, capsaicin, menthol ...dailymed.nlm.nih.gov/dailymed/lookup.cfm?setid=85066887-44d0... Oct 15, 2010 - FDA Guidances & Info; NLM SPL Resources ... Label: TEROCIN- methyl salicylate, capsaicin, menthol and lidocaine hydrochloride lotion.

Decision rationale: Conversely, the request for topical Terocin patches was not medically necessary, medically appropriate, or indicated here. Terocin, per the National Library of Medicine (NLM), is an amalgam of methyl salicylate, capsaicin, menthol, and lidocaine. However, page 28 of the MTUS Chronic Pain Medical Treatment Guidelines notes that topical capsaicin is not recommended except as a last line agent, for applicants who have not responded to or are intolerant of other treatments. Here, however, the applicant's ongoing usage of first line oral pharmaceuticals such as Ultracet and topical salicylates such as Thera-Gesic, effectively obviated the need for the capsaicin-containing Terocin compound in question. Therefore, the request was not medically necessary.