

Case Number:	CM15-0058355		
Date Assigned:	04/03/2015	Date of Injury:	08/23/2006
Decision Date:	05/04/2015	UR Denial Date:	03/12/2015
Priority:	Standard	Application Received:	03/27/2015

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 47 year old male, who sustained a work/industrial injury on 8/23/06. He has reported initial symptoms of neck pain with upper extremity weakness. The injured worker was diagnosed as having post laminectomy syndrome, sciatica, depression, cervical disc displacement, and lumbar disc displacement. Treatments to date included medication, cervical steroid epidural injection, and surgery (cervical and lumbar fusion). Magnetic Resonance Imaging (MRI) was performed on 11/10/14 and 10/4/10. Electromyogram and /or nerve conduction velocity (EMG/NCV) was performed on 3/10/14. X-ray's were performed on 1/14/10. Currently, the injured worker complains of chronic neck and back pain with radiation of the neck pain to the both upper extremities with numbness and tingling sensation. The treating physician's report (PR-2) from 12/4/14 indicated normal motor strength, painful range of motion of the cervical spine, and normal gait. Treatment plan included Retrospective Capsaicin and Ketamine.

IMR ISSUES, DECISIONS AND RATIONALES

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

Retrospective Capsaicin 0.075% (DOS 12/04/14): Overturned

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Topical Analgesics.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines topical analgesics Page(s): 111-113.

Decision rationale: The California MTUS section on topical capsaicin states: Although topical capsaicin has moderate to poor efficacy, it may be particularly useful (alone or in conjunction with other modalities) in patients whose pain has not been controlled successfully with conventional therapy. The number needed to treat in musculoskeletal conditions was 8.1. The number needed to treat for neuropathic conditions was 5.7. (Robbins, 2000) (Keitel, 2001) Criteria for the use of this topical agent have been met and the request is medically necessary.

Retrospective Ketamine 5% 60gr (DOS 12/04/14): Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Topical Analgesics.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines topical analgesics Page(s): 111-113.

Decision rationale: The California MTUS section on topical ketamine states: Ketamine: Under study: Only recommended for treatment of neuropathic pain in refractory cases in which all primary and secondary treatment has been exhausted. Topical ketamine has only been studied for use in non-controlled studies for CRPS I and post-herpetic neuralgia and both have shown encouraging results. The exact mechanism of action remains undetermined. (Gammaitoni, 2000) (Lynch, 2005) Criteria for use have not been met and the patient does not have CRPS or post-herpetic neuralgia. Therefore, the request is not medically necessary.