

Case Number:	CM14-0137610		
Date Assigned:	09/18/2014	Date of Injury:	01/16/2003
Decision Date:	10/16/2014	UR Denial Date:	08/13/2014
Priority:	Standard	Application Received:	08/25/2014

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. The expert reviewer is Board Certified in Physical Medicine & Rehabilitation and is licensed to practice in California. 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/services. He/she is familiar with governing laws and regulations, including the strength of evidence hierarchy that applies to Independent Medical Review determinations.

CLINICAL CASE SUMMARY

The expert reviewer developed the following clinical case summary based on a review of the case file, including all medical records:

This is a 54-year-old female with a date of injury of 1/16/03. The mechanism of injury was not noted. On 7/14/14, she complained of neck pain, which has increased since her last visit. She is 1 week early for her follow-up visit. She stated the Sprix (ketorolac) nasal spray is not helpful and has been having a lot of breakthrough pain. Her current meds include Skelaxin, Lidoderm 5% Patch, Thermacare Heatwrap, Zofran ODT, Nucynta ER 100mg, Fentora (fentanyl) 600mcg, Sprix nasal spray, risperidone, and Lexapro. She stated she takes Fentora because during her acute pain episodes she gets severe nausea and cannot keep any meds down. That is why she uses Fentora because it dissolves in her mouth but the insurance does not pay for this drug. The Sprix nasal spray is not helpful. On exam she did not appear to be in acute distress. Her cervical spine had restricted range of motion and her right shoulder joint revealed no swelling, deformity, joint asymmetry or atrophy. There was restricted range of motion. The diagnostic impression is post cervical laminectomy syndrome and cervical pain. The plan is to try Actiq 800mcg for acute pain episodes. Treatment to date: surgery, medication management A UR decision dated 8/14/14 denied the retrospective request for Fentanyl Citrate (Actiq) 800mcg #30 (DOS 7/18/14). The rationale for denial was not noted.

IMR ISSUES, DECISIONS AND RATIONALES

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

Retrospective Fentanyl Cit (Actiq) 800mcg #30 (DOS: 07/18/14): Upheld

Claims Administrator guideline: The Claims Administrator did not cite any medical evidence for its decision.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Page(s): 12.

Decision rationale: CA MTUS Chronic Pain Medical Treatment Guidelines states that Actiq (oral transmucosal fentanyl citrate), a fast-acting highly potent "lollipop" painkiller produced by Cephalon, is indicated only for the management of breakthrough cancer pain in patients with malignancies who are already receiving and who are tolerant to opioid therapy for their underlying persistent cancer pain. Actiq is not for use in chronic pain; and it has a Black Box warning for abuse potential. Recommend non-certification. However, the patient is also noted to be on Nucynta ER 100mg, Fentora 600mcg, Skelaxin 800mg and Sprix nasal spray for pain. It is unclear why Actiq was added on to this patient's medication regimen, given the clear guidelines that it is recommended for use in breakthrough pain for cancer patients, and is not indicated for chronic pain. It also has a Black Box warning for high abuse potential, and there is no documentation of lack of aberrant behavior, urine drug screens, and CURES Report noted. In addition, the pharmacy report for DOS 7/18/14 was not noted in the submitted documents. A progress report was noted on 7/14/14, which stated she takes Fentora (fentanyl) because it dissolves in her mouth but the insurance was not paying for it. Therefore, the retrospective request for Fentanyl Cit (Actiq) 800mcg #30 (DOS 7/18/14) was not medically necessary.