

Case Number:	CM14-0210940		
Date Assigned:	12/23/2014	Date of Injury:	03/14/2008
Decision Date:	02/17/2015	UR Denial Date:	12/04/2014
Priority:	Standard	Application Received:	12/16/2014

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 Internal Medicine, has a subspecialty in Rheumatology and is licensed to practice in Maryland. 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:

The patient is a 64 year old male with date of injury 3/14/08. The mechanism of injury is stated as a fall. The patient has complained of neck pain and low back pain since the date of injury. He has been treated with decompression laminectomy at L4-5, L3-4 and L4-S1 in 08/2011, cervical spine discectomy and fusion surgery in 08/2009, physical therapy and medications. MRI of the lumbar spine performed in 01/2014 revealed degenerative disc disease and degenerative joint disease at multiple levels, changes consistent with prior lumbar laminectomy and fusion surgery and moderate spinal stenosis at L2/3. Objective: decreased and painful range of motion of the cervical spine, decreased and painful range of motion of the lumbar spine, positive straight leg raise bilaterally, left buttock tenderness to palpation. Diagnoses: chronic low back pain, cervicgia, cervical spine degenerative disc disease, lumbar spine degenerative disc disease. Treatment plan and request: MS Contin.

IMR ISSUES, DECISIONS AND RATIONALES

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

MS Contin 30 mg, sixty count: Upheld

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

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Opiods, criteria for use Page(s): 76-85, 88-89.

Decision rationale: This 64 year old male has complained of neck pain and low back pain since the date of injury. He has been treated with decompression laminectomy at L4-5, L3-4 and L4-S1 in 08/2011, cervical spine discectomy and fusion surgery in 08/2009, physical therapy and medications to include opioids since at least 06/2013. No treating physician reports adequately assess the patient with respect to function, specific benefit, return to work, signs of abuse or treatment alternatives other than opioids. There is no evidence that the treating physician is prescribing opioids according to the MTUS section cited above which recommends prescribing according to function, with specific functional goals, return to work, random drug testing, opioid contract and documentation of failure of prior non-opioid therapy. On the basis of this lack of documentation and failure to adhere to the MTUS guidelines, MS Contin is not indicated as medically necessary.