

<b>Case Number:</b>	CM14-0094088		
<b>Date Assigned:</b>	07/25/2014	<b>Date of Injury:</b>	01/23/2001
<b>Decision Date:</b>	06/12/2015	<b>UR Denial Date:</b>	05/14/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	06/19/2014

### 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. 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: Florida

Certification(s)/Specialty: Neurology, Pain Management

### 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 61 year old female, who sustained an industrial injury on January 23, 2001. She reported being seen by a Physician who opined her symptoms were caused by a bursitis condition from prior back injury. The injured worker was diagnosed as having failed back syndrome. Treatment to date has included chiropractic treatments, MRI, physical therapy, epidural injections, home exercise program (HEP), electromyography (EMG)/nerve conduction study (NCS), lumbar fusion, and medication. Currently, the injured worker complains of persistent chronic low back pain. The Primary Treating Physician's report dated May 5, 2014, noted the injured worker reported her symptoms were about the same, having tapered her Tylenol #3 on her own, only taking one tablet a day, if that. The Tylenol #3 was noted to be started on March 10, 2014, after discontinuation of the Vicodin. Physical examination was noted to show tenderness in the lumbar paraspinal muscles. The treatment plan was noted to include Tylenol #3 one tablet every day as needed for severe pain.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Tylenol #3, #30 with 1 refill:** Upheld

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

**MAXIMUS guideline:** The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation official disability guidelines - pain, opioids.

**Decision rationale:** ODG guidelines support opioids with ongoing review and documentation of pain relief, functional status, appropriate medication use, and side effects. Pain assessment should include: current pain; the least reported pain over the period since last assessment; average pain; intensity of pain after taking the opioid; how long it takes for pain relief; and how long pain relief lasts. Satisfactory response to treatment may be indicated by the patient's decreased pain, increased level of function, or improved quality of life. Information from family members or other caregivers should be considered in determining the patient's response to treatment. The 4 A's for Ongoing Monitoring: Four domains have been proposed as most relevant for ongoing monitoring of chronic pain patients on opioids: pain relief, side effects, physical and psychosocial functioning, and the occurrence of any potentially aberrant (or non-adherent) drug-related behaviors. The medical records report chronic pain but does not document ongoing opioid risk mitigation tool use in support of chronic therapy congruent with ODG guidelines. As such chronic opioids are not supported. Therefore, the requested treatment is not medically necessary.