

Case Number:	CM15-0110320		
Date Assigned:	06/16/2015	Date of Injury:	11/16/2013
Decision Date:	07/15/2015	UR Denial Date:	05/19/2015
Priority:	Standard	Application Received:	06/08/2015

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 59 year old female with an industrial injury dated 11/16/2013. The injured worker's diagnoses include cervical herniated nucleus pulposus with moderate bilateral neural foraminal narrowing C4-5 and severe bilateral neural foraminal narrowing C5-6, lumbar herniated nucleus pulposus moderate to severe right neural foraminal narrowing L4-5 and moderate to severe left neural foraminal narrowing L5-S1, lumbar facet arthropathy, cervical and lumbar radiculopathy and right humerus lesion. Treatment consisted of diagnostic studies, prescribed medications, cervical epidural steroid injection (ESI) on 02/24/2015, chiropractic therapy and periodic follow up visits. In a progress note dated 04/20/2015, the injured worker chief complaint consisted of neck and low back pain with bilateral shoulder symptoms. Objective findings revealed no tenderness to palpitation over the cervical midline or paraspinals and no tenderness to palpitation at the upper lumbar midline or bilateral paraspinal. Limited range of motion of the cervical and lumbar spine was also noted on exam. Treatment plan consisted of medication management and follow up appointment. The treating physician prescribed Capsaicin Cream #1 (CM4-Caps 0.05% plus Cyclo 4%) with 2 refills now under review.

IMR ISSUES, DECISIONS AND RATIONALES

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

Capsaicin Cream #1 (CM4-Caps 0.05% plus Cyclo 4%) with 2 refills: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Boswellia Serrata Resin, Capsaicin, Topical Analgesics Page(s): 25, 28, 111-113.

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

Decision rationale: The California chronic pain medical treatment guidelines section on topical analgesics states: Recommended as an option as indicated below. Largely experimental in use with few randomized controlled trials to determine efficacy or safety. Primarily recommended for neuropathic pain when trials of antidepressants and anticonvulsants have failed. (Namaka, 2004) These agents are applied locally to painful areas with advantages that include lack of systemic side effects, absence of drug interactions, and no need to titrate. (Colombo, 2006) Many agents are compounded as monotherapy or in combination for pain control (including NSAIDs, opioids, capsaicin, local anesthetics, antidepressants, glutamate receptor antagonists, adrenergic receptor agonist, adenosine, cannabinoids, cholinergic receptor agonists, agonists, prostanoids, bradykinin, adenosine triphosphate, biogenic amines, and nerve growth factor). (Argoff, 2006) There is little to no research to support the use of many of these agents. Any compounded product that contains at least one drug (or drug class) that is not recommended is not recommended. The requested medication contains ingredients, which are not indicated per the California MTUS for topical analgesic use. Therefore the request is not medically necessary.