

Case Number:	CM15-0113915		
Date Assigned:	06/22/2015	Date of Injury:	07/25/2007
Decision Date:	08/18/2015	UR Denial Date:	05/18/2015
Priority:	Standard	Application Received:	06/12/2015

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: Texas, Florida, California

Certification(s)/Specialty: Preventive Medicine, Occupational Medicine

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 37 year old male who sustained an industrial injury on 7/25/07 resulting in orthopedic injuries and psychiatric problems. He complains of constant headaches; neck pain with radiation to bilateral hands (10/10); constant low back pain with radiation to the bilateral lower extremities with numbness and tingling (10/10); he also has joint pain. On physical exam of the neck there was limited and guarded range of motion; low back had limited range of motion, guarding and spasms. Medications are Prilosec; Ultracet. Diagnoses include status post anterior cervical discectomy and fusion at C5-7 (12/5/12); status post anterior posterior lumbar fusion L4-S1 (5/2009); thoracic spine sprain/ strain; cervical and lumbar myofascial pain syndrome; musculoligamentous sprain/ strain bilateral wrists; status post cervical and lumbar operations with residuals secondary manifestations of chronic pain; gastritis; depression; anxiety; insomnia. Treatments to date include medications; home exercise program; psychiatric evaluation. In the progress note dated 4/21/15 the treating provider's plan of care includes request for Flurbiprofen 20% gel 120Gm, Ketoprofen 20% 120 GM/ Ketamine 10% gel 120 GM, gabapentin 10%, cyclobenzaprine 10%, Capsacian 0.0375 % 120 GM.

IMR ISSUES, DECISIONS AND RATIONALES

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

Prilosec 20mg #30: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines NSAIDs, GI symptoms & cardiovascular risk.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines 8 C.C.R. MTUS (Effective July 18, 2009) Page(s): 111 of 127.

Decision rationale: This claimant was injured 8 years ago with orthopedic injuries and psychiatric problems. Medications are Prilosec; Ultracet. Diagnoses include status post anterior cervical discectomy and fusion at C5-7 (12/5/12); status post anterior posterior lumbar fusion L4-S1 (5/2009); thoracic spine sprain/ strain; cervical and lumbar myofascial pain syndrome; musculoligamentous sprain/ strain bilateral wrists; status post cervical and lumbar operations with residuals secondary manifestations of chronic pain; gastritis; depression; anxiety; and insomnia. Treatments to date include medications; home exercise program; and a psychiatric evaluation. Per the Chronic Pain Medical Treatment Guidelines 8 C.C.R. MTUS (Effective July 18, 2009) Page 111 of 127, the MTUS notes topical analgesic compounds are largely experimental in use with few randomized controlled trials to determine efficacy or safety. Experimental treatments should not be used for claimant medical care. MTUS notes they are primarily recommended for neuropathic pain when trials of antidepressants and anticonvulsants have failed, but in this case, it is not clear what primary medicines had been tried and failed. Also, 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 certifiable. This compounded medicine contains several medicines untested in the peer review literature for effectiveness of use topically. Moreover, the MTUS notes that the use of these compounded agents requires knowledge of the specific analgesic effect of each agent and how it will be useful for the specific therapeutic goal required. The provider did not describe each of the agents, and how they would be useful in this claimant's case for specific goals. The request is appropriately not medically necessary.

Flurbiprofen 20% gel 120gm: Upheld

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

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines 8 C.C.R. MTUS (Effective July 18, 2009) Page(s): 111 of 127.

Decision rationale: As noted, this claimant was injured 8 years ago with orthopedic injuries and psychiatric problems. Medications are Prilosec; Ultracet. Diagnoses include status post anterior cervical discectomy and fusion at C5-7 (12/5/12); status post anterior posterior lumbar fusion L4-S1 (5/2009); thoracic spine sprain/ strain; cervical and lumbar myofascial pain syndrome; musculoligamentous sprain/ strain bilateral wrists; status post cervical and lumbar operations with residuals secondary manifestations of chronic pain; gastritis; depression; anxiety; and insomnia. Treatments to date include medications; home exercise program; and a psychiatric evaluation. Flurbiprofen is in a compounded gel formulation. As noted previously, 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 certifiable. This compounded medicine contains several medicines untested in the peer review literature for effectiveness of use topically. Moreover, the MTUS notes that the use of these compounded agents requires knowledge of the specific analgesic effect of each agent and how it will be useful for the specific therapeutic goal required. The provider did not describe each of the

agents, and how they would be useful in this claimant's case for specific goals. The request is appropriately not medically necessary.

Ketoprofen 20% 120gm, Ketamine 10%gel 120gm: Upheld

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

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines 8 C.C.R. MTUS (Effective July 18, 2009) Page(s): 111 of 127.

Decision rationale: As noted, this claimant was injured 8 years ago with orthopedic injuries and psychiatric problems. Medications are Prilosec; Ultracet. Diagnoses include status post anterior cervical discectomy and fusion at C5-7 (12/5/12); status post anterior posterior lumbar fusion L4-S1 (5/2009); thoracic spine sprain/ strain; cervical and lumbar myofascial pain syndrome; musculoligamentous sprain/ strain bilateral wrists; status post cervical and lumbar operations with residuals secondary manifestations of chronic pain; gastritis; depression; anxiety; and insomnia. Treatments to date include medications; home exercise program; and a psychiatric evaluation. As noted previously, any compounded product that contains at least one drug (or drug class) that is not recommended is not certifiable. This compounded medicine contains several medicines untested in the peer review literature for effectiveness of use topically. Moreover, the MTUS notes that the use of these compounded agents requires knowledge of the specific analgesic effect of each agent and how it will be useful for the specific therapeutic goal required. The provider did not describe each of the agents, and how they would be useful in this claimant's case for specific goals. The request is appropriately not medically necessary.

Gabapentin 10%, Cyclobenzaprine 10%, Capsaicin 0.0375% 120gm: Upheld

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

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines 8 C.C.R. MTUS (Effective July 18, 2009) Page(s): 111 of 127.

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