

Case Number:	CM15-0172859		
Date Assigned:	09/15/2015	Date of Injury:	02/28/2012
Decision Date:	10/21/2015	UR Denial Date:	08/27/2015
Priority:	Standard	Application Received:	09/02/2015

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, New York, 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 applicant is a represented 46-year-old who has filed a claim for chronic low back pain (LBP) reportedly associated with an industrial injury of February 20, 2012. In a Utilization Review report dated August 22, 2015, the claims administrator failed to approve a request for topical Terocin patches while approving Cymbalta, Neurontin, and six sessions of pain management counseling. The claims administrator referenced an August 18, 2015 office visit in its determination. The applicant's attorney subsequently appealed. On August 22, 2015, it was acknowledged that the applicant was in fact using Percocet, Neurontin, Cymbalta, Motrin, and Lidoderm patches for ongoing complaints of chronic low back pain. Ancillary complaints of hip pain were reported. The attending provider suggested that he was considering hip surgery. On August 18, 2015, Cymbalta, Neurontin, and Percocet were refilled while Terocin patches were endorsed. The applicant was not working, it was acknowledged. Ongoing complaints of low back, hip, and thigh pain were reported.

IMR ISSUES, DECISIONS AND RATIONALES

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

Terocin Patch 4 Percent 30 Patches/Month: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Medical Treatment 2009.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Medical Treatment 2009, Section(s): Capsaicin, topical. Decision based on Non-MTUS Citation DailyMed - TEROGIN-methyl salicylate, capsaicin, menthol
...dailymed.nlm.nih.gov/dailymed/lookup.cfm?setid=85066887-44d0...Oct 15, 2010 - FDA Guidances & Info; NLM SPL Resources. Download Data ... Methyl Salicylate 25% Capsaicin 0.025% Menthol 10% Lidocaine 2.50%.

Decision rationale: No, the request for topical Terocin patches was not medically necessary, medically appropriate, or indicated here. Terocin, per the National Library of Medicine (NLM), is an amalgam is methyl salicylate, capsaicin, methanol, and lidocaine. However, page 28 of the MTUS Chronic Pain Medical Treatment Guidelines notes that topical capsaicin, i.e., the secondary ingredient in the Terocin compound, is not recommended except as a last line agent for applicants who have not responded to or are intolerant of other treatments. Here, however, the applicant's concomitant usage of numerous first line oral pharmaceuticals to include Percocet, Cymbalta, Neurontin, etc., effectively obviated the need for the capsaicin-Terocin compound at issue. Therefore, the request was not medically necessary.