

Case Number:	CM15-0179244		
Date Assigned:	09/21/2015	Date of Injury:	12/05/2014
Decision Date:	10/28/2015	UR Denial Date:	09/02/2015
Priority:	Standard	Application Received:	09/11/2015

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: California

Certification(s)/Specialty: Emergency 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 53 year old male, who sustained an industrial injury on December 5, 2014 and reported low back pain that radiated down his left lower extremity. The injured worker is diagnosed as having lumbosacral strain and pain, chronic lower back pain and lumbosacral degenerative disc disease. His work status is full duty without restrictions (on a trial basis). Currently, the injured worker complains of middle low back pain rated at 5 on 10. He reports increased back pain when he ambulates for 15-20 minutes. He reports a 40-50% improvement in his symptoms. He also reports symptoms of depression. Physical examinations dated June 30, 2015-August 26, 2015 revealed postural guarding and stiffness when he sits down or rises from a seated position. He has an altered gait as well. There is tenderness over the right posterior suprailiac spine and normal lumbar spine range of motion. There is decreased sensation noted at the right anterior thigh and distribution of the lateral femoral cutaneous nerve. Straight leg raise and crossed straight leg raise are negative and Waddell's signs are 0 out of 5. Treatment to date has included medications Tramadol and Flexeril. Samples of Flector patches were trialed, which provided pain relief. Physical therapy improved his left leg pain, but created right leg pain, per note dated April 28, 2015. An MRI revealed "spinal stenosis at L3, L4-L5 secondary to combination a central disc bulge at L4-L5 with hypertrophy of the ligamentum flavum" per physician note dated June 30, 2015. The therapeutic response to chiropractic care was not provided. A request for Flector patches 1.3% #30 is denied due to lack of documentation regarding contraindication or therapeutic failure of oral non-steroidal anti-inflammatory medication, per Utilization Review letter dated September 2, 2015.

IMR ISSUES, DECISIONS AND RATIONALES

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

Flector 1.3% patch #30: Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Medical Treatment 2009, Section(s): Topical Analgesics.

Decision rationale: As per MTUS Chronic Pain Guidelines topical analgesics such as Flector (Diclofenac epolamine) have poor evidence to support its use but may have some benefit in osteoarthritis related pain. Diclofenac has evidence for its use in joints that lend itself for treatment such as knees, elbows, ankles etc but has no evidence to support its use for the shoulder, spine or hip. Documentation states that this was prescribed for low back pain which is not supported by evidence. There is no documentation as to why patient cannot tolerate oral NSAIDs. Flector is not medically necessary.