

Case Number:	CM15-0026250		
Date Assigned:	02/18/2015	Date of Injury:	06/13/2002
Decision Date:	04/02/2015	UR Denial Date:	01/13/2015
Priority:	Standard	Application Received:	02/11/2015

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: Massachusetts

Certification(s)/Specialty: Anesthesiology, 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 June 13, 2002. She has reported neck and lower back pain and has been diagnosed with chronic pain syndrome, lumbar degenerative disc disease, muscle pain, intervertebral disc disorder, degenerative disc disease, cervical, and neck pain. Treatment has included steroid epidural injections, physical therapy, home exercise program, TENS unit, medications, and acupuncture. Currently the injured worker describes her neck pain as burning on the left with stabbing in the left periscapular region. She has burning in the low back, buttocks, lateral thighs, and knees. The treatment plan included acupuncture and medications. On January 13, 2015 Utilization Review non certified topical compound cream # 120 (baclofen 2%, Bupivacaine 1%, cyclobenzaprine 2%, DMSO 4%, gabapentin 6%, orphenadrine 6%, penfoxifylline 3%) x 3 refills and acupuncture x 6 citing the MTUS guidelines.

IMR ISSUES, DECISIONS AND RATIONALES

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

Baclofen 2%, Bupivacaine 1%, Cyclobenzaprine 2%, DMSO 4%, Gabapentin 6%, Orphenadrine 6%, Pentoxifylline 3% 120gm with 3 refills: Upheld

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

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

Decision rationale: According to the MTUS, there is little to no research to support the use of topical compounded creams. 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. Topical analgesics are largely experimental and there are a few randomized controlled trials to determine efficacy or safety. Therefore, at this time, the requirements for treatment have not been met and medical necessity has not been established.

6 session of Acupuncture: Overturned

Claims Administrator guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

MAXIMUS guideline: Decision based on MTUS Acupuncture Treatment Guidelines.

Decision rationale: Acupuncture is used as an option when pain medication is reduced or not tolerated, it may be used as an adjunct to physical rehabilitation and or surgical intervention to hasten is a functional recovery. Time to produce functional improvement is 3 to 6 treatments, frequency 1 to 3 times per week, optimum duration 1 to 2 months. Acupuncture treatments may be extended a functional improvement is documented. According to the documents available for review, the patient reports a 50% improvement with prior acupuncture with improved function. Therefore at this time the requirements for treatment have been met, and medical necessity has been established.