

Case Number:	CM15-0072431		
Date Assigned:	04/22/2015	Date of Injury:	12/29/2009
Decision Date:	06/11/2015	UR Denial Date:	04/09/2015
Priority:	Standard	Application Received:	04/16/2015

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 42-year-old who has filed a claim for chronic low back pain (LBP) reportedly associated with an industrial injury of December 29, 2009. In a Utilization Review report dated April 9, 2015, the claims administrator failed to approve a request for Norco. The claims administrator referenced a March 27, 2015 progress note in its determination. The applicant's attorney subsequently appealed. On March 9, 2015, the applicant reported 10/10 pain without medications versus 7/10 pain with medications. The applicant was using eight tablets of Norco daily, Cymbalta twice daily and long-acting OxyContin, the treating provider reported. Additionally, the applicant was also using Ambien and Soma, it was further noted. The applicant had undergone earlier failed lumbar spine surgery in 2010, it was acknowledged. Multiple medications were renewed and/or continued, including OxyContin, Norco, Flexeril, Cymbalta, and Ambien. The applicant was given a Toradol injection. The applicant's work status was not detailed, although it did not appear that the applicant was working. In a February 20, 2015 consultation, a neurosurgeon informed the applicant that he was not a clear candidate for further surgical intervention. 5/10 pain with medications versus 8/10 pain without medications was reported. The attending provider nevertheless acknowledged that sitting, standing, walking, and lifting remained problematic activities. In a work status report dated February 20, 2015, the applicant was placed off of work, on total temporary disability, for eight weeks. On February 10, 2015, the applicant reported 10/10 pain without medications versus 7/10 pain with medications. The applicant stated that last month had been particularly bad for him. Activities of daily living as basic as lying down remained problematic. The applicant was still using Norco at a rate of six

tablets a day, it was reported. A Toradol injection was given. Norco, OxyContin, Cymbalta, and Medrol were prescribed. The applicant was using a cane to move about; it was stated in one section of the note.

IMR ISSUES, DECISIONS AND RATIONALES

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

Norco 10mg-325mg #180: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Opioids Page(s): 78, 86.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines 7) When to Continue Opioids Page(s): 80.

Decision rationale: No, the request for Norco, a short-acting opioid, was not medically necessary, medically appropriate, or indicated here. As noted on page 80 of the MTUS Chronic Pain Medical Treatment Guidelines, the cardinal criteria for continuation of opioid therapy include evidence of successful return to work, improved functioning, and/or reduced pain achieved as a result of the same. Here, however, the applicant was off of work, on total temporary disability, it was stated in the work status report of February 20, 2015. The applicant continued to report difficulty performing activities of daily living as basic as standing, walking, or lifting, it was reported on several occasions. The attending provider did recount some reduction in pain scores from 10/10 without medications to 7/10 with medications. These were, however, outweighed by the applicant's seeming failure to return to work and the attending provider's failure to outline any meaningful or material improvements in function (if any) effected as a result of ongoing Norco usage. Therefore, the request was not medically necessary.