

Case Number:	CM15-0093608		
Date Assigned:	05/19/2015	Date of Injury:	05/03/2006
Decision Date:	06/22/2015	UR Denial Date:	05/06/2015
Priority:	Standard	Application Received:	05/14/2015

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 64-year-old male who sustained an industrial injury on May 3, 2006. He has reported low back pain with right greater than left lower extremity symptoms and has been diagnosed with status post remote lumbar decompression, December 2012, lumbar spondylosis, lumbar radiculopathy, right knee pain rule out internal derangement, left ankle pain, rule out osteochondral defect/chronic sprain/strain, and generalized abdominal discomfort, rule out industrial causation. Treatment has included medications. Objective findings note tenderness to the lumbar spine. Lumbar flexion was at 40 degrees, extension was at 35 degrees, left and right lateral tilt 35 degrees, left and right rotation was at 30 degrees. There was a positive straight leg raise bilaterally. There was diminished sensation right greater than left L5 and S1 dermatomal distributions. There was tenderness to the right knee and crepitation with range of motion. There was tenderness to the left ankle medial and lateral aspect and swelling. The treatment request included Ketoprofen powder.

IMR ISSUES, DECISIONS AND RATIONALES

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

Ketoprofen powder(Ketoprofen,Gabapentin,Bupivacaine, Fluticasone, Baclofen, Cyclobenzaprine, Clonidine, Sodium Hyaluronate,Stera Base, Ethoxy, Ethyl, Alcohol):
 Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Topical Analgesics Page(s): 111.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines 8 C.C.R. 9792.20 ? 9792.26 MTUS (Effective July 18, 2009) Page(s): 111 of 127.

Decision rationale: This claimant was injured 9 years ago, and still has back pain. Treatment has been medicine including topical medicines, with unknown objective functional improvement. Per the Chronic Pain Medical Treatment Guidelines 8 C.C.R. 9792.20 - 9792.26 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. In addition, 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. Moreover, topical medicines of any form are not appropriate for broad pain areas, such as the back. The request is appropriately not medically necessary.