

MAXIMUS FEDERAL SERVICES, INC.

Independent Medical Review

P.O. Box 138009

Sacramento, CA 95813-8009

(855) 865-8873 Fax: (916) 605-4270



Notice of Independent Medical Review Determination

Dated: **11/27/2013**

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

Employee:	[REDACTED]
Claim Number:	[REDACTED]
Date of UR Decision:	7/29/2013
Date of Injury:	12/12/2002
IMR Application Received:	8/16/2013
MAXIMUS Case Number:	CM13-0012267

- 1) **MAXIMUS Federal Services, Inc. has determined the request for Soma 350mg #120 with 3 refills is not medically necessary and appropriate.**
- 2) **MAXIMUS Federal Services, Inc. has determined the request for Vicodin 7.5/750mg #90 with 3 refills is not medically necessary and appropriate.**

INDEPENDENT MEDICAL REVIEW DECISION AND RATIONALE

An application for Independent Medical Review was filed on 8/16/2013 disputing the Utilization Review Denial dated 7/29/2013. A Notice of Assignment and Request for Information was provided to the above parties on September 20, 2013. A decision has been made for each of the treatment and/or services that were in dispute:

- 1) **MAXIMUS Federal Services, Inc. has determined the request for Soma 350mg #120 with 3 refills is not medically necessary and appropriate.**
- 2) **MAXIMUS Federal Services, Inc. has determined the request for Vicodin 7.5/750mg #90 with 3 refills is not medically necessary and appropriate.**

Medical Qualifications of the Expert Reviewer:

The independent medical doctor who made the decision has no affiliation with the employer, employee, providers or the claims administrator. The physician reviewer is Board Certified in Internal Medicine, has a subspecialty in Rheumatology and is licensed to practice in California. 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 treatments and/or services at issue.

Expert Reviewer Case Summary:

This 53 year old male was injured on 12/12/02. The mechanism of injury was stepping in a hole while carrying a ladder with subsequent neck strain. An MRI of the cervical spine was performed 8/1/12 and revealed mild posterior disk bulging at C3-4 and C5-6 with no significant impingement noted. No surgery has been reported to this reviewer relative to this injury. The requesting provider's medical reports dated 8/9/12 thru 7/31/13 stated that the patient complained of left sided neck pain with radicular symptoms in the left arm. Objective: documented tenderness of the left cervical spine paraspinal musculature. Diagnosis: cervical spine degenerative disk disease. Treatment plan and request: Soma, Vicodin.

Documents Reviewed for Determination:

The following relevant documents received from the interested parties and the documents provided with the application were reviewed and considered. These documents included:

- Application of Independent Medical Review
- Utilization Review Determination
- Medical Records from Claims Administrator
- Medical Treatment Utilization Schedule (MTUS)

1) Regarding the request for Soma 350mg #120 with 3 refills:

Section of the Medical Treatment Utilization Schedule Relied Upon by the Expert Reviewer to Make His/Her Decision

The Claims Administrator based its decision on the CA Chronic Pain Medical Treatment Guidelines, which is part of MTUS.

The Expert Reviewer based his/her decision on the CA Chronic Pain Medical Treatment Guidelines, Opioids, pages 29, 65, 76-85, 88-89, which is part of MTUS.

Rationale for the Decision:

The employee has chronic cervicalgia and radicular pain of the left upper extremity, and has been diagnosed with cervical spine degenerative disk disease. Per MTUS guidelines, Soma is not recommended for this employee's diagnosis and would also not be recommended for more than a 2-3 week period. **The request for Soma 350mg #120 with 3 refills is not medically necessary and appropriate.**

2) Regarding the request for Vicodin 7.5/750mg #90 with 3 refills:

Section of the Medical Treatment Utilization Schedule Relied Upon by the Expert Reviewer to Make His/Her Decision

The Claims Administrator based its decision on the CA Chronic Pain Medical Treatment Guidelines, which is part of MTUS.

The Expert Reviewer based his/her decision on the CA Chronic Pain Medical Treatment Guidelines, Opioids, pages 76-85, 88-89, which is part of MTUS.

Rationale for the Decision:

The employee has chronic cervicalgia and radicular pain of the left upper extremity, and has been diagnosed with cervical spine degenerative disk disease. The available medical records fail to document the following: a trial of non-opioid analgesics, goal setting with use of opioids, documentation of a baseline or subsequent functional assessment to include social, physical, daily and work activities. There is no documentation of appropriate medication use or side effects. **The request for Vicodin 7.5/750mg #90 with 3 refills is not medically necessary and appropriate**

Effect of the Decision:

The determination of MAXIMUS Federal Services and its physician reviewer is deemed to be the final determination of the Administrative Director, Division of Workers' Compensation. With respect to the medical necessity of the treatment in dispute, this determination is binding on all parties.

In accordance with California Labor Code Section 4610.6(h), a determination of the administrative director may be reviewed only if a verified appeal is filed with the appeals board for hearing and served on all interested parties within 30 days of the date of mailing of the determination to the employee or the employer. The determination of the administrative director shall be presumed to be correct and shall be set aside only upon proof by clear and convincing evidence of one or more of the grounds for appeal listed in Labor Code Section 4610.6(h)(1) through (5).

Sincerely,

Paul Manchester, MD, MPH
Medical Director

cc: Department of Industrial Relations
Division of Workers' Compensation
1515 Clay Street, 18th Floor
Oakland, CA 94612

/amm

Disclaimer: MAXIMUS is providing an independent review service under contract with the California Department of Industrial Relations. MAXIMUS is not engaged in the practice of law or medicine. Decisions about the use or nonuse of health care services and treatments are the sole responsibility of the patient and the patient's physician. MAXIMUS is not liable for any consequences arising from these decisions.