

MAXIMUS FEDERAL SERVICES, INC.

Independent Medical Review

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Notice of Independent Medical Review Determination

Dated: 12/6/2013

[REDACTED]

[REDACTED]

Employee: [REDACTED]
Claim Number: [REDACTED]
Date of UR Decision: 7/26/2013
Date of Injury: 8/10/2008
IMR Application Received: 8/12/2013
MAXIMUS Case Number: CM13-0012618

- 1) MAXIMUS Federal Services, Inc. has determined the request for **Terocin pain relief lotion 4oz is not medically necessary and appropriate.**
- 2) MAXIMUS Federal Services, Inc. has determined the request for **chiropractic therapy x8 sessions is not medically necessary and appropriate.**

INDEPENDENT MEDICAL REVIEW DECISION AND RATIONALE

An application for Independent Medical Review was filed on 8/12/2013 disputing the Utilization Review Denial dated 7/26/2013. A Notice of Assignment and Request for Information was provided to the above parties on 9/17/2013. 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 **Terocin pain relief lotion 4oz is not medically necessary and appropriate.**
- 2) MAXIMUS Federal Services, Inc. has determined the request for **chiropractic therapy x8 sessions 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 and is licensed to practice in New Hampshire, New York, and Washington. 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 is a 58 year old patient with back pain symptoms from injury in 2008. The patient now has left leg symptoms of pain and weakness in the L4 and L5 dermatomes. He has had 12 chiropractic treatments already. At issue is whether or not Terocin compounded pain relief lotion and more chiropractic care are medically necessary.

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 and Provider
- Medical Treatment Utilization Schedule (MTUS)

1) Regarding the request for Terocin pain relief lotion 4oz:

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 Chronic Pain Medical Treatment Guidelines, page 111, and ketoprofen, lidocaine, page 47 which are part of MTUS and www.drugs.com/pro/terocin.html, which is not part of MTUS.

The Expert Reviewer based his/her decision on the Chronic Pain Medical Treatment Guidelines, Topical Analgesics, page 111, and Initiating Therapy, page 77, which are part of MTUS.

Rationale for the Decision:

Terocin compounded pain topical medicine remains experimental and evidenced-based pain treatment guidelines do not support the use of this compounded topical medicine for pain relief. Terocin is a combination of ketoprofen, lidocaine, and capsaicin. More research is needed to establish its safety and efficacy. **The request for Terocin pain relief lotion 4oz is not medically necessary and appropriate.**

2) Regarding the request for chiropractic therapy x8 sessions:

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 American College of Occupational and Environmental Medicine (ACOEM), Low Back Chapter, pages 298-299, and the Chronic Pain Medical Treatment Guidelines, page 58, which are part of MTUS.

The Expert Reviewer based his/her decision on the Chronic Pain Medical Treatment Guidelines, Manual therapy and manipulation, page 59, which is part of MTUS.

Rationale for the Decision:

The employee has already had 12 sessions of chiropractic care without documented improvement, per the records submitted for review. The MTUS defined limit is 18 chiropractic sessions for degenerative back pain. Eight more sessions are not indicated as the employee has not had documented improvement. **The request for chiropractic therapy x8 sessions 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

/dso

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.