

Case Number:	CM14-0142533		
Date Assigned:	09/10/2014	Date of Injury:	05/05/2011
Decision Date:	10/06/2014	UR Denial Date:	08/20/2014
Priority:	Standard	Application Received:	09/03/2014

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. The expert reviewer is Board Certified in Family Medicine and is licensed to practice in North Carolina. 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/services. He/she is familiar with governing laws and regulations, including the strength of evidence hierarchy that applies to Independent Medical Review determinations.

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 patient is a 61-year-old with a reported date of injury of 05/05/2011. The patient has the diagnoses of lumbar herniated nucleus pulposus, lumbar radiculopathy, lumbago, knee pain and osteoarthritis of the knee. The patient underwent right L5-S1 microdiscectomy on 07/17/2014. Per the progress notes provided by the primary treating physician dated 08/06/2014, the patient had minimal incisional pain with resolution of the radiation pain. The physical exam noted decreased sensation in the right L5 dermatome. Treatment recommendations included a request for a roll about and a weight loss program.

IMR ISSUES, DECISIONS AND RATIONALES

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

Weight loss program: Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Aetna guidelines

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Cleveland Clinic 9th annual obesity summit

Decision rationale: The California MTUTUS, the ACOEM and the ODG do not specifically address weight loss programs in the treatment of chronic pain. The definition of obesity is that of an individual with a BMI greater than 30. Per the Cleveland Clinic obesity summit guidelines a

formal weight loss program should be considered in those individual who are defined as obese per there BMI or in those individual with multiple risk factors such as hypertension, cardiovascular disease, diabetes or chronic kidney disease. These programs should only occur after a home lifestyle program has been implemented and failed. In this case there is no documentation of the patient's BMI provided and there is no documentation of failure of home lifestyle modifications. Therefore the request is not certified.

Purchase of a rollabout: Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Durable medical equipment

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) ankle and knee

Decision rationale: The California MTUS and the ACOEM do not specifically address this request. The ODG states roll about walkers should be used when the patient: 1. cannot use crutches 2. cannot use standard walker 3. cannot use other standard assist devices. This patient has undergone lumbar surgery and the follow up notes post-surgery request the roll about walker. The physical exam only notes some decreased sensation but no other physical limitations. There is no documentation why this assist device would be need over recommended standard assist devices or why the device is needed at all. With this lack of documentation the request cannot be certified.