

Case Number:	CM13-0055419		
Date Assigned:	12/30/2013	Date of Injury:	01/31/1997
Decision Date:	11/10/2015	UR Denial Date:	10/30/2013
Priority:	Standard	Application Received:	11/12/2013

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 41-year-old who has filed a claim for chronic neck, shoulder, and back pain reportedly associated with an industrial injury of January 31, 1997. In a Utilization Review report dated October 30, 2013, the claims administrator failed to approve a request for a medically managed weight loss program. The claims administrator did not seemingly cite any guidelines in its determination, stating that weight loss programs were "not considered to be clinical interventions." The claims administrator referenced an RFA form received on October 22, 2013 and progress notes of October 7, 2013 and October 8, 2013 in its determination. The applicant's attorney subsequently appealed. On said October 22, 2013 office visit, the applicant reported ongoing complaints of chronic low back pain. The applicant had apparently developed issues with transaminitis, it was reported. The applicant's medication list included Zantac, Senna, and Levoxyl, it was stated in one section of the note. The applicant weighed 257 pounds, it was reported. The applicant reported issues with reflux, well controlled on medications. The applicant also reported issues with fatigue and insomnia, it was reportedly stated that the applicant did not have an established diagnosis of sleep apnea. A sleep study was sought to further evaluate the same. A medically-managed weight loss program was sought. The duration and/or magnitude of the program were not seemingly furnished. The applicant's height and BMI were not seemingly stated.

IMR ISSUES, DECISIONS AND RATIONALES

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

A medically-managed weight loss program, related to the cervical spine, lumbar spine, right shoulder, and knee injuries/symptoms: Upheld

Claims Administrator guideline: Decision based on MTUS Low Back Complaints 2004.

MAXIMUS guideline: Decision based on MTUS General Approaches 2004, Section(s): Prevention. Decision based on Non-MTUS Citation Medscape: Obesity Treatment & Management; Osama Hamdy, MD, PhD; Chief Editor: Romesh Khardori, MD, PhD, FACP (<http://emedicine.medscape.com/article/123702-treatment>).

Decision rationale: No, the request for a medically-supervised weight loss program was not medically necessary, medically appropriate, or indicated here. As noted in the MTUS Guideline in ACOEM Chapter 1, page 9, a strategy based on modification of applicant-specific risk factors such as weight loss may be more difficult, less certain, possibly less cost effective. While a more updated Medical Treatment Guideline (MTG) in the form of Medscape's Obesity Treatment and Management article does support usage of a 12-week commercial weight loss program. Here, however, the attending provider did not specify a duration and/or frequency for said medically managed weight loss program. It was not stated what the components in the program represented. The applicant's height and BMI were not attached to the October 22, 2013 office visit at issue. Therefore, the request was not medically necessary.