

Case Number:	CM13-0023950		
Date Assigned:	11/20/2013	Date of Injury:	04/22/2004
Decision Date:	01/09/2014	UR Denial Date:	08/30/2013
Priority:	Standard	Application Received:	09/13/2013

HOW THE IMR FINAL DETERMINATION WAS MADE

MAXIMUS Federal Services sent the complete case file to a physician reviewer. He/she has no affiliation with the employer, employee, providers or the claims administrator. The physician reviewer is Board Certified in Physical Medicine and Rehabilitation, has a subspecialty in Pain Management 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 physician 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.

CLINICAL CASE SUMMARY

The expert reviewer developed the following clinical case summary based on a review of the case file, including all medical records:

This is a female patient with a date of injury of April 22, 2004. A utilization review determination dated August 30, 2013 recommends, non-certification of "supervised weight loss program, Lindora." A progress report dated September 10, 2013 includes subjective complaints stating, "she still complains of right knee pain with swelling, locking and giving way. She has seen [REDACTED] regarding the right knee and was injected with some relief. She still has pain on walking and especially climbing stairs. She also complains of low back pain that is always present to some degree and radiates intermittently down both legs. She had approval of weight reduction through Lindora granted by a Judge, but the insurance company denied the request." Objective findings identify, "examination of the right knee she has pain on extension and is tender over the medial/lateral femoral condyle; tender over pes anserine bursa on the right and patellofemoral joint." Diagnoses include "right patella trochlear chondromalacia, discogenic disease of the lumbar spine with intermittent bilateral sciatica." Treatment plan recommends Voltaren gel, epidural injection, and "weight reduction at Lindora. Currently weighs 245 pounds end goal is 185 pounds. She needs to lose at least 60 pounds." An Agreed Medical Re-examination report dated April 18, 2012 identifies that the patient's height is 64 1/2 inches. Her BMI at that time was 38. The note goes on to state, "weight reduction remains the paramount mode of treatment. She has been encouraged to use her home swimming pool that is not heated, but in a very warm area in Indio California for frequent exercise to increase your stamina, reduce weight, improve strength, and possibly improve her range of motion." A utilization review determination dated June 14, 2013 recommends non-certification for weight loss program due to "prior attempts such as diet modification, exercise, and behavior modification to manage weight are not outlined."

IMR ISSUES, DECISIONS AND RATIONALES

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

Supervised weight-loss program including Lindora (diet plan): Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Aetna Clinical Policy Bulletin: Weight Reduction Medications and Programs:
http://www.aetna.com/cpb/medical/data/1_99/0039.html.

MAXIMUS guideline: Decision based on MTUS ACOEM Chapter 5 Cornerstones of Disability Prevention and Management.

Decision rationale: Regarding the request for "supervised weight loss program including Lindora," ACOEM, California MTUS, and ODG do not contain criteria for the use of a supervised weight loss program. Aetna guidelines state that weight reduction medication or physician supervised weight reduction programs are medically necessary for members "who have a documented history of failure to maintain their weight at 20% or less above ideal or at or below a BMI of 27 when the following criteria are met:" The criteria include BMI greater than 30, or BMI greater than or equal to 27 and less than 30 with comorbid conditions. Within the documentation available for review, it appears the most recent BMI is 38. However, there is no documentation indicating that the patient has tried and failed previous efforts at diet and weight control. Additionally, there is no indication that the physician has given the patient appropriate instruction in calorie reduction, and other behavior modification techniques to effect weight loss. Finally, it is unclear how the patient's current obesity is related to the accepted work injury. In the absence of clarity regarding those issues, the currently requested supervised weight loss program including Lindora," is not medically necessary.