

Case Number:	CM13-0028653		
Date Assigned:	11/27/2013	Date of Injury:	01/04/2012
Decision Date:	02/12/2014	UR Denial Date:	08/30/2013
Priority:	Standard	Application Received:	09/23/2013

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 Pain Management, has a subspecialty in Disability Evaluation 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. 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 67-year-old male patient with a stated date of injury of injury 1/4/12. The patient most recently (8/22/13) presented with low back and left knee pain and states that he has lost about 9 pounds since his last visit. Physical examination revealed tibial loosening that is aseptic and likely due to his obesity. The patient is 5 foot, 3 inches in height and weighs 240 pounds (BMI is 42.5). His current diagnoses include lumbar sprain secondary to favoring left lower extremity and failed left total knee replacement status post revision. Treatment to date includes total knee replacement. The treatment requested is a Medical 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 on an industrial basis: Overturned

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

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation National Obesity Education Initiative of the National Heart, Lung, and Blood Institute (NHLBI).

Decision rationale: The California MTUS is mute on this topic. Physician-supervised weight-loss programs provide treatment in a clinical setting with a licensed healthcare professional, such

as a medical doctor, nurse, nurse practitioner, physician assistant, registered dietitian and/or a psychologist. These programs typically offer services such as nutrition and physical activity counseling and behavioral therapy. In 1995, the National Obesity Education Initiative of the National Heart, Lung, and Blood Institute (NHLBI), in cooperation with the National Institute of Diabetes and Digestive and Kidney Diseases (NIDDK), convened the first Expert Panel on the Identification, Evaluation, and Treatment of Overweight and Obesity in Adults to develop clinical practice guidelines for primary care practitioners. The guideline laid down the following parameters: Overweight is here defined as a body mass index (BMI) of 25 to 29.9 kg/m² and obesity as a BMI of 30 kg/m². This patient's BMI is 42.5 kg/m². This patient meets the criteria for a Medical Weight loss program since he is already suffering from complications of obesity. The requested services are medically necessary and appropriate.