

Case Number:	CM13-0049153		
Date Assigned:	12/27/2013	Date of Injury:	03/07/2005
Decision Date:	02/28/2014	UR Denial Date:	10/24/2013
Priority:	Standard	Application Received:	11/07/2013

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. 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:

This is a female patient with a date of injury of March 7, 2005. A utilization review determination dated October 24, 2013 recommends non-certification for a medical weight loss program. A progress report dated November 8, 2013 identifies subjective complaints of right knee pain worsening, with constant dull and achy pain. The Norco is helping but only temporarily. The patient is currently working as a home health aide. Objective examination findings identify that the patient is obese. Examination of the right knee reveals flexion to 120° with extension to 0°. Diagnoses included right knee sprain/strain, prepatellar bursitis, right knee chondromalacia, patellofemoral syndrome right knee, and status post right knee arthroscopy. Treatment plan recommends that the patient see a knee specialist for evaluation for surgical intervention. Additionally, the note states, "patient is also in need of the previously requested weight loss program, as she is morbidly obese and this has not helped the knee condition." A previous report dated September 7, 2013 indicates that the patient has gained 18 pounds in approximately 8 weeks due to the inability to ambulate. The note indicates that the patient has encouraged the patient to decrease her caloric intake and fatty food intake.

IMR ISSUES, DECISIONS AND RATIONALES

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

Medical Weight Loss Program: Upheld

Claims Administrator guideline: The Claims Administrator did not cite any medical evidence for its decision.

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

Decision rationale: Regarding the request for a weight loss program, ACOEM, California MTUS, and ODG do not contain criteria for the use of a 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 co morbid conditions. Within the documentation available for review, 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 specific instruction in how to perform calorie reduction, and other behavior modification techniques to effect weight loss. Finally, no recent BMI has been included. In the absence of clarity regarding those issues, the currently requested weight loss program is not medically necessary.