MAXIMUS Federal Services

Case Number:	CM13-0060151		
Date Assigned:	12/30/2013	Date of Injury:	02/26/2009
Decision Date:	06/24/2014	UR Denial Date:	11/11/2013
Priority:	Standard	Application Received:	12/03/2013

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. The expert reviewer is Board Certified in Occupational Medicine 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 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 claimant was injured on 02/29/09. A weight management program is under review. A note dated 06/24/13 by [redacted] indicated that he had gained 40-45 pounds since his injury. A consultation for a 10-week weight loss program and pool therapy was recommended. His body mass index was 38.2 on 06/24/13 and this put him in the obese category. Weight loss was recommended, as it would likely help his back and knees. Following his surgery, he attended physical therapy. On 09/25/13, he saw [redacted] and is 6 feet 0 and he weighed 282 pounds. He has a diagnosis of sleep apnea. He has low back pain and bilateral knee pain. He has had arthroscopic surgeries on both knees and postop physical therapy. He was described as weak and antalgic. A [redacted] program for 10 weeks was requested.

IMR ISSUES, DECISIONS AND RATIONALES

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

[redacted] **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 Fitch A, Everling L, Fox C, Goldberg J, Heim C, Johnson K, Kaufman T, Kennedy E, Kestenbaum C, Lano M, Leslie D, Newell T, O'Connor P,

Slusarek B, Spaniol A, Stovitz S, Webb B. Prevention and management of obesity for adults. Bloomington (MN): Institute for Clinical Systems Improvement (ICSI); 2013 May.

Decision rationale: The history and documentation do not objectively support the request for a weight management program. The ICSI state that weight loss can be managed by clinicians and the 5 A's should be addressed during initial phases of counseling and guidance. The clinician should follow the 5 A's (Ask, Advise, Assess, Assist, Arrange). Clinician intervention can be effective and influential, and successful management is possible. There is no evidence that these criteria have been addressed and monitored and the claimant failed to lose weight and needs a more intensive program with a dietary counselor other than the provider on this case. Typically, patients are advised on dietary guidelines, exercise, etc. and can make an attempt to lose weight. There is no evidence that the claimant has received basic counseling about weight loss. Also, it is not clear whether psychological issues have been assessed as to a possible association with his weight. The medical necessity of this request for a weight management program has not been demonstrated. Therefore, the request is not medically necessary.