

Case Number:	CM14-0002410		
Date Assigned:	01/24/2014	Date of Injury:	03/12/2009
Decision Date:	06/23/2014	UR Denial Date:	12/19/2013
Priority:	Standard	Application Received:	01/07/2014

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 patient is a 49-year-old male who has submitted a claim for strain/sprain and degenerative joint disease of the right knee associated with an industrial injury date of March 12, 2009. Medical records from 2013 were reviewed. The patient complained of persistent right knee pain. Physical examination of the right knee showed painful and decreased ROM with crepitations. Treatment to date has included NSAIDs, opioids, anticonvulsants, home exercise programs, physical therapy, knee bracing, intraarticular injections, surgery, and pain program with weight loss component. The utilization review from December 19, 2013 denied the request for weight watchers program x 6 months for right knee injury. The request was unable to explain why the patient cannot attend public osteoarthritis meetings, research proper nutrition, and it failed to present indications for a formalized weight loss program.

IMR ISSUES, DECISIONS AND RATIONALES

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

WEIGHT WATCHERS PROGRAM X 6 MONTHS FOR RIGHT KNEE INJURY:

Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation MTUS: ACOEM, CHAPTER 5 CORNERSTONES TO DISABILITY PREVENTION AND MANAGEMENT

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Other Medical Treatment Guideline or Medical Evidence: Aetna Clinical Policy Bulletin no. 0039 Weight Reduction Medications and Programs.

Decision rationale: The CA MTUS does not address weight loss programs specifically. Per the Strength of Evidence hierarchy established by the California Department of Industrial Relations, Division of Workers' Compensation, the Aetna Clinical Policy Bulletin no. 0039 Weight Reduction Medications and Programs was used instead. It states that the criteria for usage of weight reduction programs and/or weight reduction medications include individuals with a BMI greater than or equal to 30, or those individuals with BMI greater than or equal to 27 with complications including coronary artery disease, dyslipidemia, hypertension, obstructive sleep apnea, and/or diabetes who have failed to lose at least 1 pound a week for at least six months on a weight-loss regimen that includes a low-calorie diet, increased physical activity, and therapy. In this case, the patient has a BMI of 43.05 kg/m² and was diagnosed with hypertension and diabetes mellitus. However, there was no documented history of patient trial of diet modification or exercise to achieve ideal body weight. Moreover, the patient was enrolled in a functional restoration program, however, he was discharged early due to irregular and inconsistent attendance and substantial gains were unable to be maintained. The compliance of the patient is thus in question. Furthermore, there are no data submitted regarding proven outcomes of the requested program and favoring it over other weight loss programs. Therefore, the request for weight watchers program x 6 months for the right knee injury is not medically necessary.