

<b>Case Number:</b>	CM14-0006876		
<b>Date Assigned:</b>	02/05/2014	<b>Date of Injury:</b>	10/10/2012
<b>Decision Date:</b>	07/15/2014	<b>UR Denial Date:</b>	12/31/2013
<b>Priority:</b>	Standard	<b>Application Received:</b>	01/17/2014

### 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:

This is a 22-year-old male with a 10/10/12 date of injury. He worked at a warehouse and was cleaning a power line and one of the pallets broke, and two heavy pallets, weighing approximately 60 pounds each, fell and struck his left foot and ankle. He jerked and twisted, injuring his lower back. On 12/4/13, the patient stated he could try light duty and was sent back to work. On 9/18/13, the patient is noted to have gained 26 pounds. He states he is not able to exercise. "He is sitting around at home and getting fat". The patient requires an ongoing physical maintenance and physical therapy program. Diagnostic Impression is Contusion of left foot and ankle, Post-traumatic stress reaction, Facet arthropathy. Treatment to date: medication management, activity modification. A UR decision dated 12/31/13 denied the request for a weight loss program because the patient's weight, height and BMI were not documented.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**MEDICALLY SUPERVISED WEIGHT LOSS PROGRAM:** Upheld

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

**MAXIMUS guideline:** The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Annals of Internal Medicine, Volume 142, pages 1-42,

January 2005 Evaluation of the Major Commercial Weight Loss Programs. by Tsai, AG and Wadden, TA; Aetna Clinical Policy Bulletin: Weight.

**Decision rationale:** CA MTUS and ODG do not address this issue. Physician supervised weight loss programs are reasonable in patients 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: BMI greater than or equal to 30 kg/m; or a BMI greater than or equal to 27 and less than 30 kg/m and one or more of the following comorbid conditions: coronary artery disease, diabetes mellitus type 2, hypertension (systolic blood pressure greater than or equal to 140 mm Hg or diastolic blood pressure greater than or equal to 90 mm Hg on more than one occasion), obesity-hypoventilation syndrome (Pickwickian syndrome), obstructive sleep apnea, or dyslipidemia (HDL cholesterol less than 35 mg/dL ; or LDL cholesterol greater than or equal to 160 mg/dL; or serum triglyceride levels greater than or equal to 400 mg/dL. However, there is no documentation of the patient's height, weight or BMI. There is no description that the patient has failed an independent home exercise and diet program. The provider also documents that they are considering a request for a gym membership. There is no evidence of co-morbidities associated with the patient's obesity. Therefore, the request for Medically Supervised Weight Loss Program was not medically necessary.