

Case Number:	CM14-0101874		
Date Assigned:	09/24/2014	Date of Injury:	09/27/2012
Decision Date:	10/28/2014	UR Denial Date:	06/10/2014
Priority:	Standard	Application Received:	07/02/2014

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 Family 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 59-year-old male patient who reported an industrial injury on September 27, 2012, attributed to the performance of his usual and customary job tasks reported as a slip and fall. The patient was diagnosed with cervical sprain/strain; right shoulder posttraumatic arthrosis of the AC joint with partial or complete tear of the rotator cuff; right knee medial meniscus tear and lateral meniscus tear plus osteoarthritis of the right knee; anxiety; insomnia; morbid obesity; status post subacromial decompression and partial distal clavicle resection and open repair of rotator cuff; lumbar strain secondary to bad biomechanics from use of shoulder brace. It was noted that the patient was prescribed Phentermine 37.5mg for weight loss however; the patient was documented to have not lost any weight. The patient was also taking tramadol and topical compounded creams. The patient was reported to be 5'11" and had a weight of 290 pounds. The objective findings on examination included tenderness to palpation along with diminished range of motion. The patient was prescribed pool therapy; phentermine; fluoxetine; beauty Barbara tall; tramadol; and a urine drug test.

IMR ISSUES, DECISIONS AND RATIONALES

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

Phentermine (37.5mg, #60): Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Web MD Phentermine

MAXIMUS guideline: Decision based on MTUS ACOEM Chapter 12 Low Back Complaints Page(s): 299-300, Chronic Pain Treatment Guidelines physical medicine Page(s): 97-98. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) back chapter- physical therapy; exercises, and on the Non-MTUS General disciplinary guidelines for the practice of medicine.

Decision rationale: The weight loss medication, Phentermine, prescribed by the treating physician is not demonstrated to be medically necessary or supported with objective evidence of failure of a self-directed diet. The patient has not been documented to have failed diet and exercise directed to the underlying medical issue of morbid obesity. There is no provided rationale with a nexus to the cited mechanism of injury for the weight issue. There is no evidence the patient has attempted an appropriate diet. There was no discussion of any attempted diet on the part of the patient. There is no documented exercise program. There was no discussion of the methods of weight loss attempted or the rationale for the failure to follow a diet. There is no provided objective evidence that the patient cannot lose the weight with an appropriate diet and ongoing self-directed home exercise program. There is no demonstrated medical necessity for the prescribed Phentermine 37.5 mg on an industrial basis for the treatment of the cited diagnoses.