

Case Number:	CM14-0019953		
Date Assigned:	04/28/2014	Date of Injury:	08/03/2001
Decision Date:	07/08/2014	UR Denial Date:	02/04/2014
Priority:	Standard	Application Received:	02/18/2014

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 an employee of [REDACTED] and has submitted a claim for lumbar degenerative disc disease associated with an industrial injury date of August 3, 2001. Treatment to date has included oral analgesics, physical therapy and spine surgery. Medical records from 2013 to 2014 were reviewed and showed low back pain with radicular symptoms to the back of her bilateral legs. No significant physical examination findings for the lumbar degenerative disc disease were noted on the latest progress report. The patient has is morbidly obese having a BMI of 40.8, which was attributed to the her inactivity secondary to the industrial injury. A bariatric surgery was being requested. Utilization review dated February 4, 2014 denied the request for bariatric evaluation because the documents did not show that the patient has participated in a home exercise program nor was there consultation regarding diet, lifestyle, or behavioral modification.

IMR ISSUES, DECISIONS AND RATIONALES

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

BARIATRIC EVALUATION: Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Snow V, Barry P, Fitterman N, Qaseem A, Weiss K. Pharmacologic and Surgical Management Of Obesity In Primary Care; A Clinical Practice Guideline Form The American College of Physicians. Ann Intern Med 2005 Apr 5.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation AMERICAN COLLEGE OF OCCUPATIONAL AND ENVIRONMENTAL MEDICINE , CHAPTER 7, PAGE 127, AND Society of American Gastrointestinal Endoscopic Surgeons and the American Society of Bariatric Surgeons ("Sages Guidelines for Laparoscopic and Conventional Surgical Treatment of Morbid Obesity").

Decision rationale: CA ACOEM Occupational Medicine Practice Guidelines recommends that health practitioner may refer to other specialists if a diagnosis is uncertain or extremely complex, when psychosocial factors are present or when the plan or course of care may benefit from additional expertise. A search of online resources (Society of American Gastrointestinal Endoscopic Surgeons and the American Society of Bariatric Surgeons ("Sages Guidelines for Laparoscopic and Conventional Surgical Treatment of Morbid Obesity")) states that a bariatric consultation is indicated with a body mass index (BMI) of greater than 40 kg/m², OR a BMI greater than 35 kg/m² with significant co-morbidities with evidence that dietary attempts at weight control have been ineffective. In this case, the patient is morbidly obese with a BMI of 40.8. The obesity was being attributed to the patient's inactivity secondary to the industrial injury. However, the documents did not show a trial and failure of home exercise program or a consultation regarding diet, lifestyle, or behavioral modification. Therefore, the request for bariatric evaluation is not medically necessary.