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| Case Number: | CM14-0048498 | | |
| Date Assigned: | 07/02/2014 | Date of Injury: | 04/06/1994 |
| Decision Date: | 08/27/2014 | UR Denial Date: | 03/17/2014 |
| Priority: | Standard | Application Received: | 04/16/2014 |

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 41 year old male with a 4/6/94 date of injury. He was seen on 2/19/14 for persistent neck pain and low back pain and was doing well with his medication regimen. His pain is an 8-9/10 with no medications and a 5/10 with medications. The patient was noted to be in a [REDACTED] weight loss program and lost 27 pounds in 6 weeks but gained it back. His current weight is 309 lbs. Exam findings reveal C and L spine tenderness. The patient is noted to be obese. The request is for another 6 months of [REDACTED] for a weight loss goal of 80 pounds which her spine surgeon recommends prior to surgery. Treatments to date: multiple C spine surgeries, PT, medications, and Lumbar surgery. The UR decision dated 3/17/14 denied the request given as it was unclear why the patient could not apply the weight loss program principals she has learned to a home regimen. In addition there was no report stating this method of weight loss was superior to other methods of weight loss.

IMR ISSUES, DECISIONS AND RATIONALES

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

[REDACTED] Weight Loss program, x 6 additional months (36 weeks): Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Medical Disability Advisor by Presley Reed, MD. Obesity.

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: Weight Reduction Medications and Programs.

Decision rationale: CA MTUS and ODG (Official Disability Guidelines) 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, weight loss is medically necessary because morbid obesity is a recognized Public Health and CDC identified health risk. However, [REDACTED] is not a physician-supervised program. Although CA MTUS and ODG guidelines do not address this issue, Aetna Clinical Policy Bulletin however recommends physician supervised weight reduction programs. The patient would certainly benefit from weight loss, but the requested program does not fall under the medically necessary physician overseen program. Therefore, the request for [REDACTED] x 6 months was not medically necessary.