

<b>Case Number:</b>	CM14-0207623		
<b>Date Assigned:</b>	12/19/2014	<b>Date of Injury:</b>	03/06/2013
<b>Decision Date:</b>	02/17/2015	<b>UR Denial Date:</b>	12/03/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	12/11/2014

### 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 applicant is a represented [REDACTED] employee who has filed a claim for chronic neck pain, low back pain, and carpal tunnel syndrome reportedly associated with an industrial injury of March 6, 2013. In a Utilization Review Report dated December 3, 2014, the claims administrator denied a request for a weight loss program. The claims administrator referenced a November 20, 2014 progress note in its determination. The applicant had reportedly undergone a carpal tunnel release surgery on June 14, 2014, the claims administrator suggested. The applicant's attorney subsequently appealed. In a November 20, 2014 RFA form, the weight loss program at issue, a psychiatric evaluation, and cervical MRI imaging were endorsed. In an associated progress note of November 20, 2014, the applicant was placed off of work, on total temporary disability. Home exercise program and weight loss program were both recommended. The attending provider stated that the applicant should obtain a psychiatric evaluation to determine whether there were any issues with malingering evident here. The applicant stood 5 feet 4 inches tall and weighed 188 pounds. The applicant was on Ultram, Prilosec, and Flexeril, it was incidentally noted. Multifocal complaints of neck pain, shoulder pain, mid back pain, and carpal tunnel syndrome were also evident.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**One (1) weight loss program:** Upheld

**Claims Administrator guideline:** The Claims Administrator did not cite any medical evidence for its decision.

**MAXIMUS guideline:** Decision based on MTUS ACOEM Chapter 1 Prevention Page(s): 11.

**Decision rationale:** As noted in the MTUS Guideline in ACOEM Chapter 1, page 11, strategies based on applicant-specific risk factors such as weight loss may be "less certain, more difficult, and possibly less cost effective." Here, the attending provider's November 20, 2014 progress note suggested that the applicant had yet to undertake an effort to try and lose weight of his own accord, through a home exercise program. The fact that the attending provider expressed some concern over possible symptom magnification and malingering, furthermore, suggested that the applicant was not, in fact, intent on trying to lose weight. Commentary furnished by the attending provider, thus, suggested that the applicant had not made a bona fide effort to try and lose weight of his own accord through self-directed home exercises and also seemingly suggested that the applicant had secondary gain issues evident. The applicant-specific information on file, thus, did not make a compelling case for the program so as to augment the tepid-to-unfavorable ACOEM position on the article at issue. Therefore, the request is not medically necessary.