

Case Number:	CM15-0107814		
Date Assigned:	06/12/2015	Date of Injury:	08/19/2010
Decision Date:	07/16/2015	UR Denial Date:	05/15/2015
Priority:	Standard	Application Received:	06/04/2015

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. 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/Service. He/she is familiar with governing laws and regulations, including the strength of evidence hierarchy that applies to Independent Medical Review determinations.

The Expert Reviewer has the following credentials:
 State(s) of Licensure: Texas, New York, California
 Certification(s)/Specialty: Preventive Medicine, Occupational Medicine

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 71-year-old who has filed a claim for chronic knee and low back pain reportedly associated with an industrial injury of August 19, 2010. In a Utilization Review report dated May 15, 2015, the claims administrator failed to approve a request for [REDACTED] weight loss program. The claims administrator referenced various April and May 2015 progress notes in its determination. The claims administrator did, however, apparently approve an ankle-foot orthosis or ankle-foot brace. The applicant's attorney subsequently appealed. In a May 8, 2015 RFA form, a weight loss program was proposed, along with ankle-foot orthosis. In an associated progress note of May 6, 2015, the applicant reported ongoing issues with low back pain and arthralgia of the body. The applicant was placed off of work, on total temporary disability. The applicant stood 5 foot 10 inches tall and weighed 211 pounds, resulting in a BMI of 30, it was reported. The applicant's hypertension was reportedly asymptomatic. The applicant was asked to try diet and exercise to lose weight, it was suggested.

IMR ISSUES, DECISIONS AND RATIONALES

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

[REDACTED] weight loss program (6 months): 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, Chronic Pain Treatment Guidelines Functional Restoration Approach to Chronic Pain Management Page(s): 8.

Decision rationale: No, the request for a weight loss program for six months was not medically necessary, medically appropriate, or indicated here. As noted in the MTUS Guideline in ACOEM Chapter 1, page 11, strategies based on modification of the applicant-specific risk factors such as the weight loss program at issue may be "less certain, more difficult, and possibly less cost effective." Page 8 of the MTUS Chronic Pain Medical Treatment Guidelines also stipulates that there must be demonstration of functional improvement at various milestones in the treatment program in order to justify continued treatment. Here, not only did the attending provider fail to furnish a clear or compelling rationale for pursuit of this program in the face of the unfavorable ACOEM position on the same, the attending provider's report did not contain any proviso so as to reevaluate the applicant in the midst of treatment so as to ensure a favorable response to the program in question before moving forward with such a lengthy, six-month course of therapy. The attending provider did not clearly outline why the applicant had not tried to lose weight through diet and exercise. The attending provider did not state why a formal program was needed with the applicant's having a BMI of 30. Therefore, the request was not medically necessary.