

Case Number:	CM15-0143951		
Date Assigned:	08/04/2015	Date of Injury:	04/07/2013
Decision Date:	09/02/2015	UR Denial Date:	07/06/2015
Priority:	Standard	Application Received:	07/24/2015

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: California

Certification(s)/Specialty: Emergency 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 injured worker is a(n) 50 year old female, who sustained an industrial injury on 4-7-13. She reported pain in her lower back after helping a patient who had fallen. The injured worker was diagnosed as having status post T8-T10 decompressive laminectomy with no evidence of residual spinal cord compression, minimal lumbar degenerative disc disease consistent with age and excessive weight. Treatment to date has included physical therapy, several lumbar MRIs, a TENS unit, Naprosyn, Lyrica, Tizanidine and Trazodone. On 3-16-15 the treating physician noted that the injured worker's weight was 117 pounds prior to thoracic surgery on 8-20-13, at the time of surgery she weighed 130 pounds and as of today's visit she weighs 190 pounds. The injured worker stated that her weight gain was due to inability to mobilize, diabetes and high blood pressure. As of the PR2 dated 6-17-15, the treating physician noted the injured worker's weight was 187 pounds and her height is 5'2". He reviewed a lumbar MRI from 5-27-15 showing minimal degenerative changes at L5-S1 and mild bulges at L3-L4, L4-L5 and L5-S1 as well as T12-L1. The treating physician requested supervised diet for weight loss.

IMR ISSUES, DECISIONS AND RATIONALES

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

Supervised diet for weight loss: Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Annuals of Internal Medicine, Volume 142, pages 1-42,, January 2005 "Evaluation of the Major Commercial Weight Loss Programs." by A.G. Tsai and T. A. Wadden.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Diabetes: Lifestyle (diet & exercise) modifications and Other Medical Treatment Guidelines Mastellos N, Gunn LH, Felix LM, Car J, Majeed A. Transtheoretical model stages of change for dietary and physical exercise modification in weight loss management for overweight and obese adults. Cochrane Database of Systematic Reviews 2014, Issue 2. Art. No.: CD008066. DOI: 10.1002/14651858.CD008066.pub3.

Decision rationale: MTUS Chronic pain and ACOEM Guidelines do not have any sections that relate to this topic. Official Disability Guidelines only has some generic recommendations concerning weight loss. ODG recommends diet and weight loss as a first line in treatment of diabetes. Diet and exercise is recommended. However, guidelines recommend lifestyle changes that recommend decrease in caloric intake and exercise which may be done with counseling and education. A "supervised program" is not indicated. Provider has not documented any basic conservative attempt at weight loss prior to request for a supervised program. Supervised diet is not medically necessary.