

Case Number:	CM15-0165759		
Date Assigned:	09/03/2015	Date of Injury:	08/07/2009
Decision Date:	10/13/2015	UR Denial Date:	08/11/2015
Priority:	Standard	Application Received:	08/24/2015

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: Texas, Illinois
 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 injured worker is a 62 year old female who sustained an industrial injury on 8-7-09. left knee pain - status post total knee replacement right shoulder supraspinatus and infraspinatus tendinopathy, bursal-sided partial tear; biceps tendinosis, AC joint arthritis, and degenerative change of the labrum; moderate bilateral carpal tunnel syndrome. Treatments have included modified duties, surgery, use of walker, medications and physical therapy. Her complaints on 6-9-15 included weight gain since surgery "from lack of exercise". She reported that she weighed 120 pounds in 2009, when the injury was sustained. Her weight on the 6-9-15 visit was noted to be 198 pounds. The provider explained to her that a request for a medically supervised weight loss program had been made, but that insurance providers denied the request, stating that it was "not related to the industrial injury". The injured worker also inquired about a motorized scooter. She was informed that this, too, had been denied. The treatment plan included the continuation of her use of Norco, to keep her appointments with the orthopedic surgeon, a medically supervised weight loss program, and a request for a scooter for mobility. The injured worker reported that she believes "that because her work status has been limited to sedentary since the operation, she has not been able to do her walking exercises as long as she had prior to the procedure; this is the rationale for the weight gain."

IMR ISSUES, DECISIONS AND RATIONALES

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

1 motorized scooter: Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines, Knee & Leg (Acute & Chronic).

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Knee & Leg (Acute & Chronic), Power mobility devices (PMDs).

Decision rationale: The injured worker sustained a work related injury on 8-7-09. She has been diagnosed of left knee pain - status post total knee replacement right shoulder supraspinatus and infraspinatus tendinopathy, bursal-sided partial tear; biceps tendinosis, AC joint arthritis, and degenerative change of the labrum; moderate bilateral carpal tunnel syndrome. Treatments have included modified duties, surgery, use of walker, medications and physical therapy. The medical records provided for review do not indicate a medical necessity for 1 motorized scooter; therefore, the request is not medically necessary. The MTUS is silent on 1 motorized scooter; but the Official Disability Guidelines does not recommend the use of power mobility devices like motorized scooter if the functional mobility deficit can be sufficiently resolved by the prescription of a cane or walker, or the patient has sufficient upper extremity function to propel a manual wheelchair, or there is a caregiver who is available, willing, and able to provide assistance with a manual wheelchair. Although the medical records indicate she has problems with the right shoulder and thumb, the records did not provide recent information on the physical examination findings of the examination of the right shoulder and thumb.

1 weight loss program: Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Snow V, et al. Pharmacologic and surgical management of obesity in primary care.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Medscape Most Weight-Loss Programs Come Up Wanting <http://www.medscape.com/viewarticle/842738>, United States Preventive Services Task Force.

Decision rationale: The injured worker sustained a work related injury on 8-7-09. She has been diagnosed of left knee pain - status post total knee replacement right shoulder supraspinatus and infraspinatus tendinopathy, bursal-sided partial tear; biceps tendinosis, AC joint arthritis, and degenerative change of the labrum; moderate bilateral carpal tunnel syndrome. Treatments have included modified duties, surgery, use of walker, medications and physical therapy. The medical records provided for review do not indicate a medical necessity for 1 weight loss program; therefore, the request is not medically necessary. The medical records indicate she weighed 120 pounds in 2009 at the time of the injury, but currently weighs 198 pounds, the medical records do not indicate she was referred to a specific weight loss program. The MTUS and the Official disability Guidelines are silent on weight loss program, but Medscape states that out of all the commercial weight-loss programs available, only [REDACTED] and [REDACTED] have enough evidence to support their claims that they help people lose weight and keep it off.

