

Case Number:	CM15-0190548		
Date Assigned:	10/02/2015	Date of Injury:	01/27/2011
Decision Date:	11/20/2015	UR Denial Date:	09/22/2015
Priority:	Standard	Application Received:	09/28/2015

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 [REDACTED] beneficiary who has filed a claim for chronic low back pain (LBP) reportedly associated with an industrial injury of January 27, 2011. In a Utilization Review report dated September 22, 2015, the claims administrator failed to approve a request for a [REDACTED] [weight loss] program. The claims administrator referenced an August 31, 2015 office visit and an associated RFA form in its determination. On August 31, 2015, the applicant reported ongoing complaints of low back pain. The applicant had gained 25 pounds, it was reported. The applicant had received an epidural steroid injection, 13 sessions of acupuncture, and 4 sessions of manipulative therapy, it was reported. The applicant was on Norco for pain relief, the treating provider reported. The treating provider stated that the applicant gained 25 pounds but did not recount the applicant's exact weight, height, or BMI. The [REDACTED] program, a psychiatric consultation, and Norco were endorsed. The applicant was asked to pursue lumbar spine surgery. A medical-legal evaluator reported on March 22, 2015 that the applicant had undergone a gastric bypass procedure in 2007. The applicant's height, weight, and BMI were not, once again furnished on this date.

IMR ISSUES, DECISIONS AND RATIONALES

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

[REDACTED] **Program:** Upheld

Claims Administrator guideline: Decision based on MTUS General Approaches 2004, Section(s): Prevention.

MAXIMUS guideline: Decision based on MTUS General Approaches 2004, Section(s): Prevention, Initial Approaches to Treatment. Decision based on Non-MTUS Citation <http://emedicine.medscape.com/article/123702-treatmentObesity> Treatment & Management. Author: Osama Hamdy, MD, PhD; Chief Editor: Romesh Khardori, MD, PhD, FACP.

Decision rationale: No, the request for a [REDACTED] weight loss program 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 individual risk factors such as weight loss may be "less certain, more difficult, and possibly less cost effective." While a non-MTUS Medical Treatment Guideline (MTG) in the form of Medscape's Obesity Treatment and Management article does contravene the ACOEM position by noting that scientific evidence indicates that multidisciplinary weight loss programs reliably produce and sustain modest weight loss between 5% to 10% for the long-term, this recommendation is, however, qualified by commentary made in the MTUS Guideline in ACOEM Chapter 3, page 48 which stipulates it is incumbent upon an attending provider to furnish a prescription for physical methods and, by implication, the weight loss program at issue, which "clearly states treatment goals." Here, the duration and nature of the program initially were not seemingly furnished. The applicant's height, weight, and BMI were not clearly reported either on the August 31, 2015, progress note at issue or on a Medical-legal Evaluation dated March 27, 2015. The request for the weight loss program of unspecified duration for an individual of unspecified height, weight, and BMI, thus, by definition, did not clearly state treatment goals. Therefore, the request was not medically necessary.