

Case Number:	CM15-0212223		
Date Assigned:	11/02/2015	Date of Injury:	04/08/2010
Decision Date:	12/15/2015	UR Denial Date:	10/08/2015
Priority:	Standard	Application Received:	10/28/2015

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: New Jersey

Certification(s)/Specialty: Family Practice

CLINICAL CASE SUMMARY

The expert reviewer developed the following clinical case summary based on a review of the case file, including all medical records:

This is a 49 year old female with a date of injury on 4-8-10. A review of the medical records indicates that the injured worker is undergoing treatment for lower back, right knee and left ankle pain. Progress report dated 9-23-15 reports continued complaints of moderate lower back pain rated 8 out of 10. Prolonged standing and lying down aggravate the pain. She has difficulty sleeping. She has moderate right knee pain rated 8 out of 10 and mild left knee pain rated 3 out of 10. She has complaints of moderated left ankle pain rated 5 out of 10. Review of systems: weight loss and bruises easily. Physical exam: she walks with a limp favoring right knee, mild tenderness to lumbar spine, range of motion noted, right and left knee tenderness. She has "super morbid obesity" and must lose 100 pounds if possible. Treatments include medication, physical therapy, injections (no benefit), arthroscopic knee surgery 12-2010 (helped), two left ankle surgeries 8-2013 and 2-2014 (helped). Request for authorization dated 9-28-15 was made for Weight loss program. Utilization review dated 10-8-15 non-certified the request.

IMR ISSUES, DECISIONS AND RATIONALES

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

Weight loss program: Upheld

Claims Administrator guideline: Decision based on MTUS General Approaches 2004, Section(s): Prevention. Decision based on Non-MTUS Citation URL [www.mdguidelines.com/obesity].

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 modifications.

Decision rationale: The MTUS is silent regarding weight loss programs. The ODG, however, states that lifestyle modifications such as dietary changes and exercise are particularly recommended as first-line interventions for the treatment of diabetes and obesity. The low-glycemic-index diet is best for weight loss and cardiovascular disease prevention. Extreme restriction of healthy whole food sources of fats or complex carbs can have bad effects, however. The best long-term approach is to avoid restriction of any major nutrient--either fat or carbohydrate--and instead focus on the quality of nutrients from whole foods, primarily plant-based. The argument that the food industry makes, that all foods can be part of a healthful diet as long as you watch calories, is misleading. Primary to considering any weight loss program, an attempt with individualized dietary and exercise advice by the provider should come first. In the case of this worker, it was not stated in the notes as to how much advice was given about losing weight, nor was there any description of the weight loss program the provider wanted the worker to attend as some are more effective and safe than others. Therefore, there is insufficient information presented for the reviewer to approve this request. Therefore, the weight loss program is not medically necessary at this time. This, however, should not stop the provider's attempt to help the worker lose weight via a healthy diet and regular activity.