

Case Number:	CM13-0020863		
Date Assigned:	10/11/2013	Date of Injury:	08/30/2010
Decision Date:	01/15/2014	UR Denial Date:	08/20/2013
Priority:	Standard	Application Received:	09/06/2013

HOW THE IMR FINAL DETERMINATION WAS MADE

MAXIMUS Federal Services sent the complete case file to a physician reviewer. He/she has no affiliation with the employer, employee, providers or the claims administrator. The physician reviewer is Board Certified in Physical Medicine & Rehabilitation and is licensed to practice in California. 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 physician 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/services. He/she is familiar with governing laws and regulations, including the strength of evidence hierarchy that applies to Independent Medical Review determinations.

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 patient with a date of injury of 8/30/10 with thoracic and lumbar strain. The patient underwent extensive conservative treatment. An exam on 9/10/12 showed tenderness and positive straight leg raise with sensory deficits. On 8/15/13, the patient complained of lumbar spine pain. Exam showed spasm and reduced range of motion

IMR ISSUES, DECISIONS AND RATIONALES

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

One year gym and pool membership: Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation ODG, Low Back Chapter, Gym

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation ODG, Low Back Chapter, Gym Memberships.

Decision rationale: A one year gym membership is not supported by ODG as it clearly states that gym membership is not considered a medical treatment unless a documented home exercise program has not been effective and there is a need for equipment. In this case, the treating physician did not document any of those criteria to justify the request of one year of gym membership. The request for a one year gym and pool membership is not medically necessary and appropriate.

