

<b>Case Number:</b>	CM13-0023850		
<b>Date Assigned:</b>	12/18/2013	<b>Date of Injury:</b>	03/02/1999
<b>Decision Date:</b>	03/04/2014	<b>UR Denial Date:</b>	08/28/2013
<b>Priority:</b>	Standard	<b>Application Received:</b>	09/12/2013

### 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 and Rehabilitation has a subspecialty in Pain Management 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:

The claimant is reported to have a date of injury of 3/2/99. A utilization review determination dated 8/28/13 recommends non-certification of lifetime access to a pool for aqua therapy. A progress report dated 12/9/13 identifies subjective complaints including low back pain 7/10 on the pain scale. Objective examination findings identify cervical spine ROM decreased with tenderness. Lumbar ROM is decreased with tenderness and trigger points palpated. Shoulder ROM is limited due to pain. Strength is 4/5 in BLE. Diagnoses include s/p work-related injury with continued chronic low back pain and multiple other musculoskeletal sources of chronic pain. Treatment plan recommends aqua therapy. Per the treating provider note "The patient tells me that when he does not have access to the therapy his upper body function and balance deteriorates. He cannot do simple activities at home such as taking care of his daughter and related activities. When the patient has access to the therapy he is able to perform these activities and he has improved upper body function and balance. I am specifically requesting authorization for the patient to have continuing access to aqua therapy."

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Lifetime access to a pool for aqua therapy:** Upheld

**Claims Administrator guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Aquatic Therapy. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG)

**MAXIMUS guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Page(s): 22, 98-99.

**Decision rationale:** The California MTUS states that aquatic therapy is recommended as an optional form of exercise therapy where available as an alternative to land-based physical therapy. They go on to state that it is specifically recommended whenever reduced weight bearing is desirable, for example extreme obesity, and that recommendation on the number of visits is congruent with physical medicine recommendations, which would be up to 10 sessions for myalgia, myositis, radiculitis, etc. Within the documentation available for review, the provider notes that the aqua therapy is needed for upper body function, but there is no clear indication why decreased weightbearing would be needed for an upper body condition. Additionally, there is no clear documentation identifying why land-based therapy and/or adherence to an independent home exercise program would be insufficient to address any deficits. Furthermore, the California MTUS does not support indefinite treatment with aquatic therapy. Rather, they cite that "Patients are instructed and expected to continue active therapies at home as an extension of the treatment process in order to maintain improvement levels" and there is no indication of extenuating circumstances that would preclude a transition to independent home-based exercise. The request for lifetime access to a pool for aqua therapy is not medically necessary and appropriate.