

Case Number:	CM13-0031284		
Date Assigned:	12/04/2013	Date of Injury:	09/27/2011
Decision Date:	02/14/2014	UR Denial Date:	09/12/2013
Priority:	Standard	Application Received:	10/03/2013

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 Pain Management, has a subspecialty in Disability Evaluation 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 a 57-year-old female, with a date of injury of 9 /27/11, according to the referral. An exam from 8/29/13, indicated that the claimant with left knee pain. She underwent a left total knee arthroplasty (TKA) on 3/05/13. The exam reveals mild swelling noted about the knee. There is tenderness over the incision site and slight tenderness over the patella, medial joint line, and lateral joint line. The range of motion is noted as -3 degrees of extension and flexion of 105. The plan is for gym/fitness as she has had 32 authorized physical therapy (PT) sessions. This request was denied for lack of medical necessity.

IMR ISSUES, DECISIONS AND RATIONALES

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

Gym membership for therapy of the bilateral knees: Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation the Official Disability Guidelines (ODG), ODG-TWC; ODG Treatment; Integrated Treatment/Disability Duration Guidelines, Low Back Chapter, Gym Membership.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Low back chapter, Gym memberships, and the CMS Medicare

Decision rationale: The Centers for Medicare and Medicaid Services (CMS) stated that the original Medicare does not offer gym membership as a beneficiary benefit. The Official Disability Guidelines indicate that gym memberships are "Not recommended as a medical prescription unless a documented home exercise program with periodic assessment and revision has not been effective and there is a need for equipment. Plus, treatment needs to be monitored and administered by medical professionals." There is no documentation of a need for special equipment and/or a trial and failure of a home exercise program. Furthermore, this request would not be considered medical in nature as it is not monitored by a medical professional. Treatment (work related activity) must be specific to the worker's needs, and the worker's work tasks. Activity must resemble work tasks. Specificity of training is desirable to maximize carry over to work tasks. In many cases activity can be prescribed so that it can be performed in the workers usual settings, like work or home, without the need to introduce an alternate setting, like the gym. This also supports early progression towards self management, rather than developing reliance on equipment that is not available at work or home, and/or on the medical clinics. The additional costs of gym membership and treatment provider travel could not be considered reasonably necessary if treatment using work related activity can be effectively provided in the clinic, home, or work environment. Therefore the request for a gym/fitness membership is not medically necessary.