

Case Number:	CM13-0032747		
Date Assigned:	12/06/2013	Date of Injury:	01/28/2003
Decision Date:	02/26/2014	UR Denial Date:	09/26/2013
Priority:	Standard	Application Received:	10/08/2013

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, 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:

This is a female patient with a date of injury of 1/28/03. A utilization review determination dated 9/26/13 recommends non-certification of a year gym and pool membership with a warm pool. A supplemental report dated 10/7/13 identifies that the patient has been in aquatic physical therapy and the therapist clearly recommends a pool and gym membership for ongoing independent exercises. The patient is 5 foot 3 and 233 pounds with pathology in the lumbar spine, bilateral knees, and bilateral feet and ankles. She is s/p knee arthroplasty on the right and walks with an antalgic gait. The buoyancy of the water has clearly helped her to work on strengthening and ROM, which makes her more comfortable and functional. The patient is unlikely to benefit from a home exercise program on land because of her multiple lower extremity complaints, obesity, and significant degenerative changes. This is not her first course of aquatic therapy and there is no reason that she needs ongoing supervision, but she simply does not have access to a heated, year-round pool in order to do the appropriate exercises to treat her industrial injury.

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 with a warm pool: Upheld

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

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Page(s): 46-47. Decision based on Non-MTUS Citation ODG, Low Back Chapter, Gym Memberships

Decision rationale: Regarding request for a year gym and pool membership with a warm pool, Chronic Pain Medical Treatment Guidelines state that exercise is recommended. They go on to state that there is no sufficient evidence to support the recommendation of any particular exercise regimen over any other exercise regimen. ODG states the 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. With unsupervised programs there is no information flow back to the provider, so he or she can make changes in the prescription, and there may be a risk of further injury to the patient. Within the documentation available for review, there is no indication that the patient has failed a home exercise program with periodic assessment and revision, although there is mention that it is believed that the patient would be unable to participate in land-based therapy given her complaints, obesity, and degenerative changes. The provider notes that the patient should be able to perform her exercises learned in aquatic physical therapy, but there is no documentation that the physician is overseeing the gym exercise program. In the absence of such documentation, the currently requested a year gym and pool membership with a warm pool is not medically necessary.