

Case Number:	CM13-0039725		
Date Assigned:	12/20/2013	Date of Injury:	12/29/2004
Decision Date:	02/03/2014	UR Denial Date:	09/23/2013
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 Internal Medicine, has a subspecialty in Cardiovascular Disease and is licensed to practice in Texas. 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 patient is a 30-year-old female with a reported date of injury on 12/29/2004. The patient presented with pain to the right arm, bilateral leg pain, neck pain, bilateral shoulder pain, bilateral buttock pain, bilateral hip pain, right hand pain, left knee pain, bilateral low back pain, spasticity, numbness, balance problems, tingling sensation, unsteadiness, weakness, muscle cramps, joint swelling, joint pain, and joint stiffness. The patient had diagnoses including chronic pain syndrome, back pain, lumbar, chronic, complex regional pain syndrome type 1 left lower extremity, chronic depression, and chronic insomnia. The physician's treatment plan included a request for a Gym membership X 12 months.

IMR ISSUES, DECISIONS AND RATIONALES

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

Gym membership X 12 months: 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 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, Gym memberships.

Decision rationale: The California MTUS guidelines and ACOEM do not address gym memberships. The Official Disability guidelines note 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. While an individual exercise program is of course recommended, more elaborate personal care where outcomes are not monitored by a health professional, such as gym memberships or advanced home exercise equipment, may not be covered under this guideline, although temporary transitional exercise programs may be appropriate for patients who need more supervision. 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 risk of further injury to the patient. The Guidelines note 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. Within the provided documentation, the requesting physician recommended an independent gym for 12 months for exercise, which would aid the patient in decreasing her pain, improving mental health, and improve her sleep. Within the provided documentation, it was unclear if a home exercise program was performed with periodic assessment and revision that was not effective for the patient and it was also unclear if there was a need for equipment. Therefore, the request for a Gym membership X 12 months is neither medically necessary nor appropriate.