

<b>Case Number:</b>	CM13-0049934		
<b>Date Assigned:</b>	12/27/2013	<b>Date of Injury:</b>	09/29/2008
<b>Decision Date:</b>	02/26/2014	<b>UR Denial Date:</b>	10/21/2013
<b>Priority:</b>	Standard	<b>Application Received:</b>	11/08/2013

### 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 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 applicant is a female patient with a date of injury of 9/29/08. A utilization review determination dated 10/21/13 recommends non-certification of a one year gym membership with pool access. A progress report dated 9/19/13 identifies subjective complaints including right knee pain with popping, clicking, and giving way, as well as low back pain. Objective examination findings identify lumbar paraspinal tenderness with limited ROM. There is slight diffuse swelling of the bilateral knees with tenderness over the medial and lateral joint lines as well as patellofemoral crepitus with passive ranging. Diagnoses include status post right knee arthroscopy 1/14/10; left knee patellofemoral arthralgia secondary to antalgic gait with mucoid degeneration, per diagnostic ultrasound study dated 1/09; lumbar spine musculoligamentous sprain/strain; and right knee contusion/sprain. Treatment plan recommends chiropractic manipulative therapy and a one-year gym membership extension with pool access so that the patient can continue performing her self-guided home exercise program.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**One year gym membership with pool access:** Upheld

**Claims Administrator guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines.

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

**Decision rationale:** Regarding the request for one year gym membership with pool access, 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. Official Disability Guidelines (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. Additionally, there is no indication that the patient has been trained on the use of gym equipment, or that the physician is overseeing the gym exercise program. In the absence of such documentation, the currently requested one year gym membership with pool access is not medically necessary.