

<b>Case Number:</b>	CM14-0005274		
<b>Date Assigned:</b>	01/24/2014	<b>Date of Injury:</b>	06/01/1993
<b>Decision Date:</b>	06/09/2014	<b>UR Denial Date:</b>	12/20/2013
<b>Priority:</b>	Standard	<b>Application Received:</b>	01/14/2014

### HOW THE IMR FINAL DETERMINATION WAS MADE

MAXIMUS Federal Services sent the complete case file to an expert reviewer. He/she has no affiliation with the employer, employee, providers or the claims administrator. The expert reviewer is Board Certified in Geriatrics , has a subspecialty in Family Practice and is licensed to practice in New York. 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 expert 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 injured worker is a 61 year old man with a date of injury of 6/1/93. He is status post C2-T1 anterior -posterior cervical fusion with subsequent Brown-Sequard Syndrome/myelopathy and then L4-5 posterior lumbar decompression and stabilization. He had a history of left lower extremity edema, osteomyelitis and left great toe debridement. He also had bilateral rotator cuff tears, dysphagia and degenerative scoliosis. He had chronic pain and has already had both aquatic and land based therapy in the past with over 100 visits. He was seen by his physician on 12/12/13 for follow up. He had been undergoing physical therapy which was said to help immensely but low back range of motion exercises had aggravated his underlying sciatica. His physical exam showed an antalgic gait with a list to the right side. He had weakness in his left extensor hallucis longus and anterior tib (4+/5). At issue in this review is the request for additional water and land based therapy.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**TWELVE (12) LAND THERAPY VISITS:** Upheld

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

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

**Decision rationale:** The MTUS Physical Medicine Guideline allow for fading of treatment frequency from up to 3 visits per week to 1 or less, plus active self-directed home Physical Medicine. In this injured worker, physical therapy has already been used for over 100 visits as a modality and a self-directed home exercise program should be in place. The records do not support the medical necessity for an additional 12 land based therapy visits in this individual.

**TWELVE (12) POOL THERAPY VISITS:** Upheld

**Claims Administrator guideline:** The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Integrated With Treatment Guidelines, Treatment In Worker's Compensation, Low Back-Lumbar & Thoracic (Acute & Chronic).

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

**Decision rationale:** Pool based therapy is in question for this injured worker. Per the MTUS, aquatic therapy is recommended as an optional form of exercise therapy, where available, as an alternative to land based physical therapy. Aquatic therapy (including swimming) can minimize the effects of gravity, so it is specifically recommended where reduced weight bearing is desirable, for example extreme obesity. In this case, the records do not justify why additional aquatherapy is indicated after the current course of land based therapy and the pool based therapy is therefore not medically indicated.