MAXIMUS Federal Services

Case Number:	CM14-0024111		
Date Assigned:	06/11/2014	Date of Injury:	11/10/2011
Decision Date:	09/29/2014	UR Denial Date:	02/25/2014
Priority:	Standard	Application Received:	02/26/2014

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 Physical Medicine and Rehabilitation, 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 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 31-year-old male who reported an injury on 11/10/2011. The mechanism of injury was not provided within the medical records. The clinical note dated 08/13/2014 indicate a diagnosis of painful degenerative disc disease at L4-5, mild disc bulges at several levels at L3-4, L4-5, and L5-S1, predominant axial pain at L4-5 with facet hypertrophy and neck pain since he has had modification of his work due to increased stress in the upper extremities and neck. The injured worker as status post facet neurotomies performed 01/15/2013. The injured worker reported greater than 70% relief which lasted almost until recently. The injured worker reported he had started to gradually become worse and unfortunately pain had recurred. The provider recommended additonal therapies including gym membership and an interferential unit several times, and those had not been authorized. Physical examination of the lumbar spine revealed pain to palpation over the facet joints L3 through S1, range of motion was limited due to pain of 60% normal, extension of 40% normal, side-to-side bending of 60% normal left and right. The injured worker's treatment plan included re-request of a gym membership. The injured worker's prior treatments included diagnostic imaging, surgery, and medication management. The injured worker's medication regimen included Norco. The provider submitted a request for a gym membership. A request for authorization was submitted 08/13/2014 for gym membership. However, a rationale was not provided for review.

IMR ISSUES, DECISIONS AND RATIONALES

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

GYM MEMBERSHIP: Upheld

Claims Administrator guideline: The Claims Administrator did not cite any medical evidence for its decision.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Knee and Leg, Gym membership.

Decision rationale: The request for GYM MEMBERSHIP is not medically necessary. The Official Disability Guidelines (ODG) indicate a gym membership is not recommended as a medical prescription unless a home exercise program 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. There is a lack of evidence of a home exercise program with periodic assessments which have been modified and remained ineffective. Therefore, per ODG, the request for a gym membership is not medically necessary.