

Case Number:	CM14-0048568		
Date Assigned:	06/25/2014	Date of Injury:	01/30/2007
Decision Date:	07/28/2014	UR Denial Date:	02/27/2014
Priority:	Standard	Application Received:	03/28/2014

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, 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 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:

This is a patient with a date of injury of 1/30/07. A utilization review determination dated 2/27/14 recommends non-certification of 1 year gym membership with access to an indoor pool. 2/18/14 medical report identifies worsening pain in the knees and ankles. He is wearing bilateral knee braces and ankle braces and using a cane for ambulation. He cannot exercise with walking, as it causes severe pain in the lower extremities. Water therapy exercises work best, keeping his legs strong and keeping him active to try to keep his weight down. He is gaining weight again because of his sedentary status. Medications improve pain to 7-8/10 (10/10 without) and he gets at least 50% functional improvement with ADLs. On exam, there is bilateral knee crepitus with ROM. Stress testing reveals valgus laxity bilaterally. Patellar compression is painful. There is bilateral ankle tenderness and ROM is painful. There is limited lumbar spine ROM. Gym membership is recommended to continue water therapy exercise as he cannot tolerate land-based exercises due to lower extremity pain.

IMR ISSUES, DECISIONS AND RATIONALES

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

1 year gym membership with access to an indoor pool: Upheld

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

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 request for 1 year gym membership with access to an indoor 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. The provider stated that water therapy exercise is needed as the patient cannot tolerate land-based exercises due to lower extremity pain, but it was also noted that medications provided at least 50% functional improvement with ADLs. This appears inconsistent and no further explanation was provided. There is also no indication why land-based exercises that do not require full weightbearing cannot be utilized. Additionally, there is no indication that the physician is overseeing the gym exercise program. In light of the above issues, the currently requested 1 year gym membership with access to an indoor pool is not medically necessary.