

Case Number:	CM14-0068175		
Date Assigned:	07/14/2014	Date of Injury:	08/17/1994
Decision Date:	09/15/2014	UR Denial Date:	11/15/2013
Priority:	Standard	Application Received:	05/12/2014

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 Occupational Medicine 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 case involves a 70-year-old female who sustained an injury on 8/17/94. The mechanism of injury was not noted. The progress report dated 04/03/2014 stated the injured worker presented with pain in the lower back. Objective findings include no new sensory, reflex or motor changes; pain upon palpation over the left iliac crest; and four well-circumscribed trigger points on palpation with a twitch response as well as referred pain. The diagnostic impression revealed radiculopathy L/S/T, paint myalgia/myositis, and lumbago. Treatment to date includes medication management, activity modification, physical therapy, and gym membership with aqua therapy. A UR decision dated 11/15/13 denied the request for 6-month gym membership due to lack of information about functional improvement from the prior gym membership. Treatment to date: Medication management, activity modification, physical therapy, gym membership with aqua therapy. A UR decision dated 11/15/13 denied the request for 6-month gym membership due to lack of information about functional improvement from the prior gym membership.

IMR ISSUES, DECISIONS AND RATIONALES

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

6 month Gym membership continued: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Exercise Page(s): 46-47. Decision based on Non-MTUS Citation (ODG) Official Disability Guidelines Low Back-Lumbar & Thoracic (Acute & Chronic).

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 Chapter, Gym Membership.

Decision rationale: CA MTUS is silent on the topic of gym memberships. Official Disability Guidelines (ODG) does not recommend gym memberships unless a documented home exercise program with periodic assessment and revision has not been effective as well as a need for equipment. In addition, treatment needs to be monitored and administered by medical professionals. However, there is no evidence that attempts at home exercise were ineffective and no evidence that the injured worker would require specialized equipment. There is also no indication that treatment will be administered and monitored by medical professionals. In addition, gym memberships, health clubs, swimming pools, athletic clubs, etc., are not generally considered medical treatment. In this case, despite gym membership being part of the previous medical plan, there is no information about functional improvement during that time. However, this is noted to be a renewal of a gym membership where there was no documentation of functional improvement and specific goals defined to accomplish in a period of time. The 2011QME notes recommend a gym membership, but there are no recent progress notes specifically addressing the patient's physical deficits and how she would benefit from a gym membership. Therefore, the request for a 6 month gym membership was not medically necessary.