

<b>Case Number:</b>	CM14-0189194		
<b>Date Assigned:</b>	11/20/2014	<b>Date of Injury:</b>	12/16/2003
<b>Decision Date:</b>	01/08/2015	<b>UR Denial Date:</b>	10/13/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	11/12/2014

### **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, has a subspecialty in Osteopathic Family Practice 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:

According to the medical records the patient is a 49-year-old female who sustained an industrial injury on December 16, 2003. The patient is diagnosed with backache, neuralgia, neuritis, lumbago and radiculitis. Utilization review was performed on December 16, 2003 at which time the request for one year gym membership was noncertified with the following rationale, "Gym membership is not medically necessary. The patient does not appear to need access to special equipment to successfully perform as exercise program. The patient has a history of performing a home exercise program and has not noted improved back pain in the past with cardio and core exercises. Therefore the provider's request for I year of gym membership is non-certified".An appeal has been submitted. Per the appeal, the patient has been working full time at as family specialist. She never took time off after the injury and she has been maintaining with HEP taught by the FRP. She was recommended to use Roman chair, weights to improve core strength and deeper muscles of the lower back to minimize flare ups as well as improve endurance. She also needs lateral press machine for squats to work on back muscle strengthening. She does not take any oral medication for the back and she is not interested in any interventional procedures for the back. Gym membership is medically reasonable intervention for a self-motivated patient with the goal of keeping her functional and minimize the need for therapies, medication or interventional procedures for her constant low back pain associated with paraesthesias in bilateral lower extremities.

### **IMR ISSUES, DECISIONS AND RATIONALES**

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

## **1 Year of Gym Membership: 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), Low Back: Lumbar and Thoracic (Acute and 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:** The medical records and the letter of appeal has been reviewed; however, the request for gym membership is not medically necessary per ODG. While it is acknowledged that the patient is working full time and has been recommended specialized equipment for strengthening, the guidelines also state that treatment needs to be monitored and administered by medical professionals. The guidelines specifically state that 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 risk of further injury to the patient. As such, the request for gym membership is not medically necessary.