MAXIMUS Federal Services

Case Number:	CM14-0203287		
Date Assigned:	12/15/2014	Date of Injury:	02/27/2004
Decision Date:	02/04/2015	UR Denial Date:	11/21/2014
Priority:	Standard	Application Received:	12/04/2014

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 Family Practice and is licensed to practice in New Jersey. 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 worker is a 46 year old male who was injured on 2/27/2004. He was diagnosed with cervical disc degeneration/spondylosis, cervical radiculitis, lumbar degenerative disc disease, lumbar radiculitis, brachial neuritis/radiculitis, and obesity. He was treated with surgery (lumbar), lumbar spinal cord stimulator, medications, and TENS, according to the notes provided for review. He also, reportedly attended a gym for some time, for brief aerobic exercise and yoga when he attended (at least once a week). On 10/2/14, the worker was seen by his primary treating physician reporting continual neck and low back pain with bilateral leg symptoms. He reported his yoga and exercise program at the gym caused an increase in this pain the following day, and that he was considering surgery for both his neck and low back. He reported that his health club membership was near expiration. Physical examination findings included BMI 34, and tenderness of the cervical and lumbar areas. He was then recommended to lose weight before considering surgery, continue exercises at the gym, continue his medications, and return in 6 weeks. A request for acceptance of a 1-year gym membership was then submitted on the worker's behalf.

IMR ISSUES, DECISIONS AND RATIONALES

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

Health club membership renewal for one year: Upheld

Claims Administrator guideline: Decision based on MTUS ACOEM,Chronic Pain Treatment Guidelines. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG)

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Exercise. Page(s): 45-47.

Decision rationale: The MTUS states that exercise is recommended for chronic pain, although there is no sufficient evidence to support the recommendation of any particular exercise regimen over any other. Such programs should emphasize education, independence, and the importance of an on-going exercise regime. The MTUS also recommends aquatic therapy as an optional exercise strategy in cases where land-based exercise or therapy is not tolerated, as it can minimize the effects of gravity, and may be appropriate for a patient that is extremely obese. The MTUS does not specifically address gym memberships. The ODG discusses when a gym membership is recommended for low back injuries. It states that the gym membership is only recommended when 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, such as a physical therapist for example. Unsupervised exercise programs do not provide any information back to the treating physician, which is required to make adjustments if needed and to prevent further injury. In the case of this worker, there was insufficient evidence to suggest he had met the criteria for acceptance of a gym membership as there was no indication that he was benefitting from the exercises performed in the gym leading to functional improvements, medication reductions, or prevention of surgery. Also, there was no evidence to suggest the exercises were being monitored and directed by a health professional, according to the notes available for review. Therefore, the health club membership is not medically necessary to continue.