

Case Number:	CM15-0135962		
Date Assigned:	07/23/2015	Date of Injury:	10/26/2001
Decision Date:	08/20/2015	UR Denial Date:	06/29/2015
Priority:	Standard	Application Received:	07/14/2015

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. 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/Service. He/she is familiar with governing laws and regulations, including the strength of evidence hierarchy that applies to Independent Medical Review determinations.

The Expert Reviewer has the following credentials:

State(s) of Licensure: California

Certification(s)/Specialty: Physical Medicine & Rehabilitation, Pain Management

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 50 year old male, who sustained an industrial injury on 10/26/01. Initial complaints were not reviewed. The injured worker was diagnosed as having; mild bilateral L4-5 radiculopathy; chronic myofascial pain syndrome thoracolumbar spine moderate to severe; lumbago; sciatica. Treatment to date has included physical therapy; trigger point injection (2/16/15); medications. Currently, the PR-2 notes dated 2/16/15 indicated the injured worker returned for a re-evaluation having last been seen in this office on 9/2014. He reports having worsening of his lower back pain and says his pain is now constant, ranging from 4-7/10 without medications which he attributes to working full time performing repetitive bending and stooping as well as prolonged walking. He also has intermittent numbness in his left leg. The provider reports a MRI of the lumbar spine has been done. Objective findings are documented noting range of motion of the thoracic spine were slightly restricted upon flexion and extension maneuvers while ranges of motion of the lumbar spine were slightly-to-moderately restricted in all planes on this examination. There were multiple myofascial trigger points and taut bands noted throughout the thoracic and lumbar paraspinal musculature as well as in the gluteal muscles. Sensation to fine touch and pinprick was decreased in the posterior aspect of the left thigh and left calf. Trigger point injections (4) were given on this date in the thoracic muscles. The provider is requesting authorization of Gym membership for 3 months with access to swimming pool.

IMR ISSUES, DECISIONS AND RATIONALES

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

Gym membership x 3 months with access to swimming pool: Upheld

Claims Administrator guideline: Decision based on MTUS ACOEM Chapter 10 Elbow Disorders (Revised 2007). Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) - Gym membership.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Page(s): 46-47 of 127. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Low Back Chapter, Gym Memberships.

Decision rationale: Regarding request for gym membership, 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. Additionally, there is no indication that the patient has been trained on the use of gym equipment, or that the physician is overseeing the gym exercise program. In the absence of such documentation, the currently requested gym membership is not medically necessary.