

Case Number:	CM15-0137712		
Date Assigned:	09/11/2015	Date of Injury:	06/10/1981
Decision Date:	10/09/2015	UR Denial Date:	06/30/2015
Priority:	Standard	Application Received:	07/16/2015

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, Indiana, New York
 Certification(s)/Specialty: Internal Medicine

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 76 year old male, who sustained an industrial injury on June 10, 1981. The initial symptoms reported by the injured worker are unknown. The injured worker was recently diagnosed as having sacroccocygeal arthritis, muscle spasm and sciatica. Notes stated that he had previous approvals for gym membership and lidocaine jelly. His medications were noted to provide good effect over the long-term. No current subjective complaints or objective findings were included in the report. The treatment plan included [REDACTED] gym membership, Lidocaine HCl 2% jelly and a follow-up visit. On June 30, 2015, utilization review denied a request for Lidocaine HCl jelly #60 30 gram tube with two refills and [REDACTED] gym membership extension.

IMR ISSUES, DECISIONS AND RATIONALES

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

Lidocaine HCl jelly #60 30 gram tube 2 refills: Upheld

Claims Administrator guideline: The Claims Administrator did not cite any medical evidence for its decision.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Medical Treatment 2009, Section(s): Topical Analgesics. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Pain section, Topical analgesics.

Decision rationale: Pursuant to the Chronic Pain Medical Treatment Guidelines and the Official Disability Guidelines, lidocaine HCl jelly #60, 30gm tube two with two refills is not medically necessary. Topical analgesics are largely experimental with few controlled trials to determine efficacy and safety. They are primarily recommended for neuropathic pain when trials of antidepressants and anticonvulsants have failed. Any compounded product that contains at least one drug (or drug class) that is not recommended is not recommended. Other than Lidoderm, no other commercially approved topical formulation of lidocaine whether cream, lotions or gels are indicated for neuropathic pain. In this case, the injured worker's working diagnoses are sacrococcygeal arthritis; muscle spasms; and sciatica. Date of injury is June 10, 1981. There is no request for authorization medical records. Medical record contains 18 pages. There is a single progress note in the medical record dated June 1, 2015. There are no symptoms or objective findings documented in the medical record. The progress note states the injured worker have prior approval for gym memberships and lidocaine jelly. According to a determination printout, gym memberships and lidocaine were denied as of April 3, 2015. The anatomical region for use is not documented in the medical record. The documentation states apply to affected areas. There is no documentation of failed first-line treatment with antidepressants and anticonvulsants. Lidocaine jelly is not recommended. Any compounded product that contains at least one drug (lidocaine jelly) that is not recommended is not recommended. Consequently, lidocaine HCl jelly #60, 30gm tube is not recommended. Based on clinical information in the medical record and peer-reviewed evidence-based guidelines, lidocaine HCl jelly #60, 30gm tube two with two refills is not medically necessary.

█ **Gym membership extension:** Upheld

Claims Administrator guideline: The Claims Administrator did not cite any medical evidence for its decision.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Pain section, Gym memberships.

Decision rationale: Pursuant to the Official Disability Guidelines, █ gym membership extension is not medically necessary. Gym memberships are not recommended as a medical prescription unless a documented home exercise program 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 area 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. Gym memberships, health clubs, swimming pools, athletic clubs, etc., would not generally be considered medical treatment and are therefore not covered under these guidelines. In this case, the injured worker's working diagnoses are sacrococcygeal arthritis; muscle spasms; and sciatica. Date of injury is June 10, 1981. There is no request for authorization medical records. Medical record contains 18 pages. There is a single progress note in the medical record dated June 1, 2015. There are no symptoms or objective findings documented in the medical record. The progress note states the injured worker have prior approval for gym memberships and lidocaine jelly. According to a determination printout, gym memberships and lidocaine were denied as of April 3, 2015. Gym memberships, health clubs, swimming pools, athletic clubs, etc., would not generally be considered medical treatment and

are therefore not covered under these guidelines. Based on the clinical information in the medical record, peer-reviewed evidence-based guidelines, no documentation showing subjective symptoms and objective clinical findings and guideline non-recommendations for gym memberships, [REDACTED] gym membership extension is not medically necessary.