

Case Number:	CM15-0165621		
Date Assigned:	09/03/2015	Date of Injury:	09/06/2012
Decision Date:	10/09/2015	UR Denial Date:	08/04/2015
Priority:	Standard	Application Received:	08/24/2015

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: Texas, New York, California

Certification(s)/Specialty: Preventive Medicine, Occupational 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 applicant is a represented 49-year-old who has filed a claim for chronic knee pain reportedly associated with an industrial injury of September 6, 2012. In a Utilization Review report dated August 4, 2015, the claims administrator failed to approve a request for a gym and pool membership for one year. The claims administrator referenced a July 8, 2015 progress note in its determination. The applicant's attorney subsequently appealed. On said July 8, 2015 RFA form, a 1-year gym membership/pool membership was sought. In an associated progress note dated July 8, 2015, the applicant reported ongoing complaints of knee pain. The treating provider noted that viscosupplementation injection had apparently been denied. A knee corticosteroid injection was performed in the clinic. Small knee effusion was appreciated on inspection. The applicant was described as having had a previous 3-month gym membership. A 1-year gym membership with pool access was sought. The applicant's gait was not clearly described or characterized. The applicant's work status was not detailed on this occasion. In an earlier note dated March 12, 2015, the applicant was placed off of work, on total temporary disability. A medical-legal evaluator reported on June 30, 2015 that the applicant exhibited a mildly antalgic gait. The applicant was not, however, seemingly using any kind of assistive device.

IMR ISSUES, DECISIONS AND RATIONALES

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

Gym/ Pool membership, 1 year (12 months): Upheld

Claims Administrator guideline: Decision based on MTUS Knee Complaints 2004. Decision based on Non-MTUS Citation Official Disability Guidelines: Knee & Leg (Acute & Chronic) - Gym memberships.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Medical Treatment 2009, Section(s): Aquatic therapy. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Low Back Problems, Gym memberships.

Decision rationale: No, the request for a gym membership with pool access for 1 year was not medically necessary, medically appropriate, or indicated here. The gym membership in question was seemingly being proposed for the purposes of furnishing the applicant with access to pool. While page 22 of the MTUS Chronic Pain Medical Treatment Guidelines does acknowledge that aquatic therapy and, by implication, the pool membership at issue, are recommended as an optional form of exercise therapy in applicants in whom reduced weight bearing is desirable, here, however, it was not clearly established that reduced weight bearing was, in fact, desirable. The applicant was described as exhibiting only a mildly antalgic gait on a Medical-legal Evaluation of June 30, 2015, seemingly without the aid of any kind of assistive device. The applicant's gait was not clearly described or characterized on the July 8, 2015 progress note at issue. It did not appear, however, that access to a pool was necessarily compulsory here, as the treating provider's July 8, 2015 progress note did not outline the presence of any marked gait derangement which would have supported the pool access component of the request. As noted in ODGs Low Back Chapter Gym Memberships topic, gym memberships are not recommended as a medical prescription unless a documented home exercise program has proven ineffective and there is a need for specialized equipment. Here, again, there was no mention of the applicant's having failed conventional home exercises. The documentation on file, for all of the previously stated reasons, does not establish a clear or compelling case for the pool access component of the request. Therefore, the request was not medically necessary.