

Case Number:	CM15-0194108		
Date Assigned:	10/07/2015	Date of Injury:	02/01/1979
Decision Date:	11/23/2015	UR Denial Date:	09/23/2015
Priority:	Standard	Application Received:	10/02/2015

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

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 91 year old male, who sustained an industrial injury on 2-1-1979. Medical records indicate the worker is undergoing treatment for lumbar disc disease and lumbosacral arthritis. A recent progress report dated 9-15-2015, reported the injured worker complained of low back pain and stiffness and pain extends down to his legs and feet. Physical examination revealed the injured worker was bent forward at the waist with much stiffness and flexion of 60 degrees and extension of -30 degrees. Treatment to date has included home exercise program and medication management. On 9-15-2015, the Request for Authorization requested one year ████████ membership for aqua therapy. On 9-21-2015, the Utilization Review noncertified the request for one year ████████ membership for aqua therapy.

IMR ISSUES, DECISIONS AND RATIONALES

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

One year ████████ membership for aqua therapy: 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 ODG Online, Low Back Chapter, Gym Memberships.

Decision rationale: The patient presents with diagnoses lumbar disc disease and lumbosacral arthritis. The patient recently complained of low back pain and stiffness and pain extends down to his legs and feet. The current request is for a one year [REDACTED] membership for aqua therapy. The treating physician states in the barely legible treating report dated 9/15/15 (25B), "Treatment Plan: One year [REDACTED] membership for aqua therapy three to five days a week to help his lower back/legs." The sparse clinical history notes that previous treatment for this patient has included pool therapy since at least 5/19/2015 (20B). However, it is unclear if prior treatment was completed in a public gym or a medical facility. MTUS guidelines do not address gym memberships. The ODG guidelines states the following for gym memberships: "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. While an individual exercise program is of course recommended, more elaborate personal care where outcomes are not monitored by a health professional, such as gym memberships or advanced home exercise equipment may not be covered under this guideline, although temporary transitional exercise programs may be appropriate for patients who need more supervision. 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 request for an unsupervised gym membership for aqua therapy does not meet ODG guidelines. The current request is not medically necessary.