

Case Number:	CM15-0194566		
Date Assigned:	10/08/2015	Date of Injury:	04/30/2008
Decision Date:	11/18/2015	UR Denial Date:	09/08/2015
Priority:	Standard	Application Received:	10/05/2015

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 67 year old female, who sustained an industrial injury on 4-30-2008. The injured worker is being treated for back pain. Treatment to date has not been provided in the submitted medical records. Per the only medical record submitted for review, the Primary Treating Physician's Progress Report dated 8-18-2015, the injured worker presented for reevaluation. She reported persistent pain in her back. Objective findings included range of motion forward flexion 30 degrees, back extension 20 degrees, rotation 30-30 degrees, and side bending 20-20 degrees. Extension produces more pain than flexion. There is no documentation of a home exercise program. The plan of care included aquatic therapy. Authorization was requested for a 6 month gym membership. On 9-08-2015, Utilization Review non-certified the request for 6 month gym membership.

IMR ISSUES, DECISIONS AND RATIONALES

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

6 months Gym membership: Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines Low back-lumbar and thoracic (Acute and chronic).

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 membership.

Decision rationale: Pursuant to the Official Disability Guidelines, six month gym membership 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 diagnosis is back pain. There are no formal diagnoses listed in the record. Date of injury is April 30, 2015. Request for authorization is August 31, 2015. There is a single progress note/letter dated August 18, 2015. According to an August 18, 2015 orthopedic treatment plan, the injured worker presents for ongoing back pain. The injured worker has significant facet arthropathy. An AME indicated the injured worker would still be a candidate for the L5 - S1 disc excision and fusion. The treating provider states it would be reasonable to offer the injured worker whatever is "genuine" where she can go swimming and go walking in the swimming pool to build up muscles. A gym membership prescription was given for the injured worker. Based on clinical information in the medical record, peer-reviewed evidence-based guidelines and guideline not recommendations for gym membership, six month gym membership is not medically necessary.