

Case Number:	CM15-0197676		
Date Assigned:	10/13/2015	Date of Injury:	10/05/2011
Decision Date:	11/19/2015	UR Denial Date:	09/30/2015
Priority:	Standard	Application Received:	10/07/2015

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

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 59-year-old female who sustained an industrial injury on 10-5-2011. Diagnoses have included chronic myofascial pain syndrome, cervical and thoracolumbar spine, moderate to severe; mild left L4-5 radiculopathy; status post left surgery for carpal tunnel syndrome with residual moderate left carpal tunnel syndrome; mild-to-moderate left ulnar nerve entrapment at the left elbow with left medial epicondylitis; and, NSAIDs-induced gastritis. The provider also noted the injured worker was reporting some depressive symptoms. Documented treatment includes trigger point injections, home stretching, and medication providing "70 - 80 percent improvement in overall pain and ability to function and sleep." There is no indication in the medical records provided of other therapies or treatments in the last six months. On 9-16-2015 the injured worker presented with constant neck, upper, and lower back pain rated 4-5 out of 10 on the VAS pain scale without medication, and she had been having frequent pain and numbness in her bilateral lower extremities and left elbow. Examination revealed cervical and lumbar range of motion "restricted in all planes," multiple myofascial trigger points and taut bands throughout the cervical, mid and lower back areas, and there was a decrease in sensitivity to touch and pinprick in the left thigh. Palpable tenderness was noted on the left epicondyle. The treating physician's plan of care includes daily swimming pool exercises for three months to "aid in general strengthening, physical condition, and mood elevation." A request was submitted for gym membership with pool, but was denied on 9-30-2015.

IMR ISSUES, DECISIONS AND RATIONALES

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

Gym membership with pool times 3 months: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Medical Treatment 2009, Section(s): Exercise.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Medical Treatment 2009, Section(s): Exercise.

Decision rationale: Although the MTUS Guidelines stress the importance of a home exercise program and recommend daily exercises, there is no evidence to support the medical necessity for access to the equipment available with a gym/pool membership versus resistive thera-bands to perform isometrics and eccentric exercises. It is recommended that the patient continue with the independent home exercise program as prescribed in physical therapy. The accumulated wisdom of the peer-reviewed, evidence-based literature is that musculoskeletal complaints are best managed with the eventual transfer to an independent home exercise program. Most pieces of gym equipment are open chain, i.e., the feet are not on the ground when the exercises are being performed. As such, training is not functional and important concomitant components, such as balance, recruitment of postural muscles, and coordination of muscular action, are missed. Again, this is adequately addressed with a home exercise program. Core stabilization training is best addressed with floor or standing exercises that make functional demands on the body, using body weight. These cannot be reproduced with machine exercise units. There is no peer-reviewed, literature-based evidence that a gym membership or personal trainer is indicated nor is it superior to what can be conducted with a home exercise program. There is, in fact, considerable evidence-based literature that the less dependent an individual is on external services, supplies, appliances, or equipment, the more likely they are to develop an internal locus of control and self-efficacy mechanisms resulting in more appropriate knowledge, attitudes, beliefs, and behaviors. Pool Therapy does not seem appropriate as the patient has received land-based Physical therapy. There is no records indicating intolerance of treatment, incapable of making same gains with land-based program nor is there any medical diagnosis or indication to require Aqua therapy at this time. The patient is not status-post recent lumbar or knee surgery nor is there diagnosis of morbid obesity requiring gentle aquatic rehabilitation with passive modalities. The patient has completed formal sessions of PT and there is nothing submitted to indicate functional improvement from treatment already rendered. There is no report of new acute injuries that would require a change in the functional restoration program. There is no report of acute flare-up and the patient has been instructed on a home exercise program for this chronic 2011 injury. The Gym membership with pool times 3 months is not medically necessary and appropriate.