

<b>Case Number:</b>	CM15-0021300		
<b>Date Assigned:</b>	02/10/2015	<b>Date of Injury:</b>	06/24/1994
<b>Decision Date:</b>	03/25/2015	<b>UR Denial Date:</b>	01/29/2015
<b>Priority:</b>	Standard	<b>Application Received:</b>	02/04/2015

### 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 68 year old male, who sustained an industrial injury on 06/24/1994. He has reported low back pain and left hip pain. The diagnoses have included right shoulder strain; herniated nucleus pulposus, L3-4; lumbar spinal stenosis, L4-5; and status post left total hip arthroplasty (1998 with revision 2002), with postoperative heterotopic ossification and pain; and right TKA 1998 with right arthroscopy 2001. Treatment to date has included medications, physical therapy, and surgical intervention. Medications have included Motrin. Currently, the IW complains of pain in the low back and left hip; physical therapy is completed and aquatic therapy was recommended; and noted benefit with Motrin. A progress report from the treating physician, dated 12/16/2014, reported objective findings to include tenderness about the lower lumbar paravertebral musculature; and negative sitting straight leg raise bilaterally. The treatment plan included a prescription for Motrin; request aquatic therapy for the lumbar spine and left hip, 3 times a week for the next 4 weeks; and follow-up evaluation in 3 months. On 01/29/2015 Utilization Review noncertified a prescription for Twelve (12) sessions of aquatic therapy. The CA MTUS was cited. On 02/04/2015, the injured worker submitted an application for IMR for review of Twelve (12) sessions of aquatic therapy.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Twelve (12) sessions of aquatic therapy:** Upheld

**Claims Administrator guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Aquatic Therapy.

**MAXIMUS guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Physical Therapy, pages 98-99.

**Decision rationale:** Aquatic 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 and should have the knowledge to continue with functional improvement with a Home exercise program. 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 injury. Per Guidelines, physical therapy is considered medically necessary when the services require the judgment, knowledge, and skills of a qualified physical therapist due to the complexity and sophistication of the therapy and the physical condition of the patient. However, there is no clear measurable evidence of progress with the PT treatment already rendered including milestones of increased ROM, strength, and functional capacity. Review of submitted physician reports show no evidence of functional benefit, unchanged chronic symptom complaints, clinical findings, and work status. There is no evidence documenting functional baseline with clear goals to be reached and the patient striving to reach those goals. The Chronic Pain Guidelines allow for 9-10 visits of physical therapy with fading of treatment to an independent self-directed home program. Submitted reports have not adequately demonstrated the indication to support for the pool therapy. The Twelve (12) sessions of aquatic therapy is not medically necessary and appropriate.