

<b>Case Number:</b>	CM15-0039856		
<b>Date Assigned:</b>	03/10/2015	<b>Date of Injury:</b>	06/13/2009
<b>Decision Date:</b>	04/14/2015	<b>UR Denial Date:</b>	02/10/2015
<b>Priority:</b>	Standard	<b>Application Received:</b>	03/03/2015

### 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: New Jersey

Certification(s)/Specialty: Family Practice

### 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 32 year old female, who sustained an industrial injury on 06/13/2009. She has reported subsequent low back pain and was diagnosed with lumbosacral sprain/strain and abdominalgia. Treatment to date has included oral pain medication and a home exercise program. In a progress note dated 01/14/2015, the injured worker complained of low back pain. Objective findings were notable for positive lumbar spine tenderness and decreased lumbar range of motion. The physician noted that a gym membership was recommended to assist with strengthening the lower back.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Gym membership for water exercises:** Upheld

**Claims Administrator guideline:** The Claims Administrator did not cite any medical evidence for its decision.

**MAXIMUS guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Exercise Page(s): 45-47. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Low back section, Gym membership.

**Decision rationale:** The MTUS states that exercise is recommended for chronic pain, although there is no sufficient evidence to support the recommendation of any particular exercise regimen over any other. Such programs should emphasize education, independence, and the importance of an on-going exercise regime. The MTUS also recommends aquatic therapy as an optional exercise strategy in cases where land-based exercise or therapy is not tolerated, as it can minimize the effects of gravity, and may be appropriate for a patient that is extremely obese. The MTUS does not specifically address gym memberships. The ODG discusses when a gym membership is recommended for low back injuries. It states that the gym membership is only recommended when a home exercise program has not been effective and there is a need for equipment. Plus treatment needs to be monitored and administered by medical professionals, such as a physical therapist for example. Unsupervised exercise programs do not provide any information back to the treating physician, which is required to make adjustments if needed and to prevent further injury. In the case of this worker, she had been recommended to do home exercises leading up to this request, however, there was no clear report of her completing them or if she was having difficulty performing them, or if they were helpful or not. She was also recommended to have a gym membership for water exercises, however, there was insufficient information provided in the documentation provided which states the reasoning for this, and there was no report of any supervision or goals associated with this request which might have helped support it. Therefore due to lack of supportive information and lack of evidence to suggest she was unable to successfully perform home exercises, the gym membership will be considered medically unnecessary.