

Case Number:	CM15-0088151		
Date Assigned:	05/12/2015	Date of Injury:	02/10/1995
Decision Date:	06/11/2015	UR Denial Date:	04/29/2015
Priority:	Standard	Application Received:	05/07/2015

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, 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 65-year-old male, who sustained an industrial injury on 2/10/95. He reported a back/neck injury. The injured worker was diagnosed as having cervicalgia, cervical spondylosis without myelopathy, degeneration of cervical intervertebral disc, spinal stenosis of cervical region and displacement of cervical intervertebral disc without myelopathy. Treatment to date has included home exercise program, gym membership, oral medications and physical therapy. Currently, the injured worker has no complaints. Physical exam noted limited rotation of cervical spine with no muscle tenderness. A request for authorization was submitted for a new gym membership for one year.

IMR ISSUES, DECISIONS AND RATIONALES

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

Gym membership: 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 Official Disability Guidelines (ODG) Pain section, Gym membership.

Decision rationale: Pursuant to the Official Disability Guidelines, gym membership is not medically necessary. Gym memberships are not recommended as a medical prescription unless a documented home exercise program periodic assessment, 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 diagnoses are cervicalgia; cervical spondylosis without myelopathy; degeneration cervical into vertebral disc; spinal stenosis cervical region; and displacement cervical inter- vertebral disc without myelopathy. The injured worker is engaged in a gym membership according to the documentation progress note dated April 22, 2015. He attends the gym five days a week in sweat. The gym membership however is not monitored and supervised. The injured worker has had physical therapy and has been engaged in a gym membership since 1995. The injured worker should be well versed in the exercises performed during physical therapy and pool therapy to engage in a home exercise program. This does not require a home gym. Gym memberships, health clubs, swimming pools, athletic clubs, etc., would not generally be considered medical treatment and are therefore not covered under these guidelines. Consequently, action guideline recommendations for gym membership, a gym membership is not medically necessary.