

<b>Case Number:</b>	CM15-0089119		
<b>Date Assigned:</b>	05/13/2015	<b>Date of Injury:</b>	12/28/2012
<b>Decision Date:</b>	06/15/2015	<b>UR Denial Date:</b>	05/01/2015
<b>Priority:</b>	Standard	<b>Application Received:</b>	05/08/2015

### 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 54 year old female, who sustained an industrial injury on 12/28/12. The injured worker has complaints of lower backache. The documentation noted that the injured workers range of motion is restricted with pain, on palpation, paravertebral muscles; tenderness is noted on the left side. The documentation noted that tenderness is noted over the sacroiliac spine. The diagnoses have included low back pain. Treatment to date has included trazodone; tramadol and lidocaine; physical therapy; home exercise program and left knee arthroscopic surgery in December 2014. The request was for six month gym membership.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**6 month gym membership:** Upheld

**Claims Administrator guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Physical medicine treatment/Exercise/Aquatherapy.

**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, a 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 low back pain. The documentation, according to an April 17, 2015 progress note, shows the injured worker has completed a functional restoration program and is engaged in a home exercise program. The injured worker prefers swimming over acupuncture. The injured worker presently attends aquatic therapy classes/swimming and notes excellent relief. The injured worker is engaged in a home exercise program and should be well-versed (based on prior therapy) in that home exercise program. There is no documentation the gym membership provides supervision or is administered by medical professionals. 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, absent guideline recommendations for gym memberships, a six-month gym membership is not medically necessary.