

Case Number:	CM14-0110717		
Date Assigned:	08/01/2014	Date of Injury:	11/27/2009
Decision Date:	10/07/2014	UR Denial Date:	06/17/2014
Priority:	Standard	Application Received:	07/16/2014

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. The expert reviewer is Board Certified in Physical Medicine and Rehabilitation and is licensed to practice in California. 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/services. He/she is familiar with governing laws and regulations, including the strength of evidence hierarchy that applies to Independent Medical Review determinations.

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 46 year-old female who sustained injuries to her right hand and left knee on 11/27/09. She had been treated for left knee complaints. She had tried previous gym programs which had reportedly provided her benefit in her recovery and reduction of her symptoms. She had pain on the medial side of the knee and pain climbing upstairs. She had left knee arthroscopy and microfracture of the patella for two osteochondral defects. She had a series of Orthovisc injections, which helped and also underwent postoperative physical therapy. She has tried exercises but she indicated that she did not get the same relief as she gets from going to the gym. An examination of the left lower extremity revealed no erythema and well-healed portal incisions and tenderness to palpitation (TTP) on the medial side of the left knee. Her strength was 5/5. Diagnoses included status post arthroscopy of the left knee with synovectomy, arthroscopy of the left knee; internal derangement of the knee; chondromalacia of the patella and depression. A magnetic resonance imaging (MRI) of the left knee on 7/1/13 showed defect to patella inferior and lateral to the midline. A gym membership was recommended and it was felt that the gym membership would help the injured worker continue with her normal activities. The request for gym membership quantity 12 months was modified on 06/17/2014 for gym membership to 3 months.

IMR ISSUES, DECISIONS AND RATIONALES

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

Gym membership QTY: 12 months: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Exercise Page(s): 46-47. Decision based on Non-MTUS Citation Official Disability Guidelines, Knee & Leg (updated 06/05/2014) Gym Memberships, Physical Therapy (PT) & Exercise and the Low Back Chapter

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Knee & Leg, Gym memberships

Decision rationale: Per the Official Disability Guidelines (ODG), a gym membership is not recommended as a medical prescription unless a documented home exercise program with 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. While an individual exercise program is of course recommended, more elaborate personal care where outcomes are not monitored by a health professional, such as gym membership or advanced home exercise equipment, may not be covered under this guideline, although temporary transitional exercise programs may be appropriate for injured workers who need more supervision. 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 injured worker. Gym memberships, health clubs, swimming pools, athletic clubs, etc., would not generally be considered medical treatment, and are therefore not covered under these guidelines.