

<b>Case Number:</b>	CM14-0112855		
<b>Date Assigned:</b>	08/01/2014	<b>Date of Injury:</b>	09/21/2011
<b>Decision Date:</b>	09/19/2014	<b>UR Denial Date:</b>	07/11/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	07/18/2014

### 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 has a subspecialty in Interventional Spine 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 patient is a 38 year old male with a date of injury of 09/21/2011. The listed diagnoses per [REDACTED] are ankle pain, knee pain and thigh pain. According to progress report 07/07/2014, the patient is nearing the end of her treatment in the Functional Restoration Program, and the treating physician believes after completion, she will benefit from an aftercare program ([REDACTED] remote care). Treating physician states the patient has done well during her time in the [REDACTED] program. The treating physician is requesting durable medical goods to use for at home to continue exercises. The request is for a stretching strap, one pair of adjustable cuff weights, Norco safety ball, Thera-cane, one pair of dumbbell 3 pounds, and one pair of dumbbells 5 pounds. Utilization review denied the request on 07/11/2014.

### IMR ISSUES, DECISIONS AND RATIONALES

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

#### **Stretching Strap - Purchase:** Overturned

**Claims Administrator guideline:** The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG): Knee, Durable Medical Equipment (DME).

**MAXIMUS guideline:** The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation ODG guidelines Lumbar chapter under Exercise.

**Decision rationale:** The treating physician recommended a stretching strap. ODG lumbar chapter under exercise has the following, "Employees who use weight training to ease low back pain are better off than those who choose other forms of exercise, according to a recent study, which found a 60% improvement in pain and function levels from a 16-week exercise program of resistance training using dumbbells, barbells, and other load-bearing exercise equipment, versus 12% from aerobic training, jogging, using a treadmill or an elliptical machine." ODG supports resistance training using load-bearing exercise equipment. The request is considered medically necessary.

**Adjustable Cuff Weights - Purchase: Overturned**

**Claims Administrator guideline:** The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Knee, Durable Medical Equipment (DME).

**MAXIMUS guideline:** The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation ODG guidelines Lumbar chapter under Exercise.

**Decision rationale:** ODG lumbar chapter under exercise has the following; "Employees who use weight training to ease low back pain are better off than those who choose other forms of exercise, according to a recent study, which found a 60% improvement in pain and function levels from a 16-week exercise program of resistance training using dumbbells, barbells, and other load-bearing exercise equipment, versus 12% from aerobic training, jogging, using a treadmill or an elliptical machine. ODG supports resistance training using load-bearing exercise equipment. The request is considered medically necessary.

**Norco Safety Ball (55 cm) - Purchase: Overturned**

**Claims Administrator guideline:** The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Knee, Durable Medical Equipment (DME).

**MAXIMUS guideline:** The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation ODG guidelines Lumbar chapter under Exercise.

**Decision rationale:** ODG lumbar chapter under exercise has the following, "Employees who use weight training to ease low back pain are better off than those who choose other forms of exercise, according to a recent study, which found a 60% improvement in pain and function levels from a 16-week exercise program of resistance training using dumbbells, barbells, and other load-bearing exercise equipment, versus 12% from aerobic training, jogging, using a treadmill or an elliptical

machine." ODG supports resistance training using load-bearing exercise equipment. The request is considered medically necessary.

**Thera-cane - Purchase:** Overturned

**Claims Administrator guideline:** The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Knee, Durable Medical Equipment (DME).

**MAXIMUS guideline:** The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Other Medical Treatment Guideline or Medical Evidence.

**Decision rationale:** A search on the web (Theracane.com) states "Thera-cane massager is a hand held deep pressure self-massager", described as "easy to apply pain-relieving deep compression directly too hard, knotted trigger points anywhere they occur." ODG guidelines under massage states, "Mechanical massage devices are not recommended." Thera-cane is a hand held cane shaped massager with six ball points. The non-mechanical massager allows the patient to self-use to apply pressure and massage muscles. The Thera-cane a simple and cost effective tool for patients to self-massage. The request is considered medically necessary.

**Pair 3 Pound Dumbbells - Purchase:** Overturned

**Claims Administrator guideline:** The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Durable Medical Equipment (DME).

**MAXIMUS guideline:** The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation ODG guidelines Lumbar chapter under Exercise.

**Decision rationale:** ODG lumbar chapter under exercise has the following, "Employees who use weight training to ease low back pain are better off than those who choose other forms of exercise, according to a recent study, which found a 60% improvement in pain and function levels from a 16-week exercise program of resistance training using dumbbells, barbells, and other load-bearing exercise equipment, versus 12% from aerobic training, jogging, using a treadmill or an elliptical machine." ODG supports resistance training using load-bearing exercise equipment. The request is considered medically necessary.

**Pair 5 Pound Dumbbells - Purchase:** Overturned

**Claims Administrator guideline:** The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Durable Medical Equipment (DME).

**MAXIMUS guideline:** The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation ODG guidelines Lumbar chapter under Exercise.

**Decision rationale:** ODG lumbar chapter under exercise has the following, "Employees who use weight training to ease low back pain are better off than those who choose other forms of exercise, according to a recent study, which found a 60% improvement in pain and function levels from a 16-week exercise program of resistance training using dumbbells, barbells, and other load-bearing exercise equipment, versus 12% from aerobic training, jogging, using a treadmill or an elliptical machine." ODG supports resistance training using load-bearing exercise equipment. The request is considered medically necessary.