

<b>Case Number:</b>	CM14-0165754		
<b>Date Assigned:</b>	10/10/2014	<b>Date of Injury:</b>	03/08/2008
<b>Decision Date:</b>	11/14/2014	<b>UR Denial Date:</b>	09/24/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	10/08/2014

### 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 Family Medicine 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:

This is a 44 year old male patient who sustained an injury on 3/08/2008. He sustained the injury when a large piece of metal steel fell on his toe. The current diagnosis includes left knee internal derangement, left lateral meniscus tear, possible costochondral damage. Per the doctor's note dated 8/27/14, he had complaints of left knee pain. The physical examination of the left knee revealed unchanged from previous visits- edema, pain with range of motion, positive Mc Murray and Lachmantest. The medications list includes hydrocodone 10 mg, bupropion SR, celebrex, ibuprofen, omeprazole and Lyrica 50 mg. He has undergone a left knee anterior cruciate ligament repair on 6/22/2008. He has had an MRI of the left knee which revealed lateral meniscus tear and questionable cartilage damage of the left knee; lumbar MRI which revealed a small anterolisthesis of his lumbar spine and no bulging disk and no discogenic problems. He has had urine drug screen report with consistent result on 8/7/14, 2/5/14 and inconsistent result on 7/9/14, 5/13/14 and 6/6/14.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Gym membership trial:** Upheld

**Claims Administrator guideline:** The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines, Physical Therapy (PT) & Exercise; 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); Chapter:Knee & Leg (updated 10/27/14) Gym memberships Chapter: Low Back (updated 10/28/14) Gym memberships

**Decision rationale:** ACOEM and CA MTUS do not address this request. Per the ODG guidelines 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 memberships or advanced home exercise equipment, may not be covered ..... "Any contraindication to a simple home exercise program without specialized equipment is not specified in the records provided. The rationale for the need of gym membership is not specified in the records provided. Response to previous conservative therapy is not specified in the records provided. In addition per the cited guidelines "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." The medical necessity for gym membership trial is not fully established at this time.