

<b>Case Number:</b>	CM14-0092275		
<b>Date Assigned:</b>	07/25/2014	<b>Date of Injury:</b>	06/16/1994
<b>Decision Date:</b>	09/18/2014	<b>UR Denial Date:</b>	05/28/2014
<b>Priority:</b>	Standard	<b>Application Received:</b>	06/18/2014

### 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 Occupational 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:

The claimant was injured on 06/16/94. Hydrotherapy has been recommended for one year for the low back. The claimant has a history of surgery and post laminectomy syndrome of the lumbar spine. He was working as a fire captain and stepped in a hole and injured his back. He is permanent and stationary. He reports ongoing pain. On 04/15/14, Dr. [REDACTED] recommended massage, range of motion stretching, myofascial release, electrotherapy, manipulation, and hydrotherapy 3 times a week for a year. He saw Dr. [REDACTED] on 02/07/14. No further surgery was recommended. He continued to have asymmetrical reflexes with an absent ankle jerk on the right and weakness in the right lower leg. He had a positive straight leg raise on the right side. He also had spasm. He had benefited from chiropractic treatment weekly and water therapy 3 times a week. He had not progressed much with his low back pain or lower extremity pain and would be at increased risk if these therapies were not provided to him. On 02/10/14, Dr. [REDACTED] stated that he was attending hydrotherapy 3 times per week. He was also seeing a chiropractor once a week. His medications, TENS unit, hydrotherapy, low back support, and chiropractic care were all helpful for him. A note dated 05/27/14 from Dr. [REDACTED], the chiropractor indicates that he was being encouraged to do his stretches and walks to he could do his age-appropriate activities of daily living. His weekly chiropractic visits were helpful. He has had constant at least moderate pain and almost anything exacerbated his condition.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Outpatient hydrotherapy three (3) times per week for one (1) year for lumbar spine.:**  
Upheld

**Claims Administrator guideline:** Decision based on MTUS ACOEM Chapter 12 Low Back Complaints Page(s): 299.

**MAXIMUS guideline:** Decision based on MTUS Chronic Pain Treatment Guidelines Aquatic therapy Page(s): 53.

**Decision rationale:** The history and documentation do not objectively support the request for hydrotherapy 3 times per week for a year. The MTUS state regarding aquatic therapy, "recommended as an optional form of exercise therapy, where available, as an alternative to land-based physical therapy. Aquatic therapy (including swimming) can minimize the effects of gravity, so it is specifically recommended where reduced weight bearing is desirable, for example extreme obesity." In this case, there is no documentation of specific objective benefit to the claimant from the continuation of aquatic therapy and there is no indication that he is unable to do a land-based exercise program or is extremely obese. There is no indication that his program is to be monitored and supervised by medical professionals. He has shown little progress over time per the notes. The medical necessity of this request for hydrotherapy 3 times per week for a year has not been clearly demonstrated.