MAXIMUS Federal Services

Case Number:	CM15-0004770		
Date Assigned:	01/16/2015	Date of Injury:	12/28/2001
Decision Date:	03/12/2015	UR Denial Date:	12/30/2014
Priority:	Standard	Application Received:	01/09/2015

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: New Jersey
Certification(s)/Specialty: Family Practice

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 58 year old male, who sustained an industrial injury on 12/28/2001. The diagnoses have included chronic intractable low back pain, major depression, inguinal hernia and status post right total hip replacement. Treatment to date has included pain medications, psychotherapy and aqua therapy. According to the Primary Treating Physician's Progress Report from 11/11/2014, the injured worker reported taking his medications as prescribed and denied any changes. He complained of urologic problems. The injured worker stated that he would like to have access to a heated pool to participate in non-weight bearing cardiovascular exercise. His pain was managed with Tramadol, Gabapentin and naproxen. Physical exam was unremarkable. Authorization was requested for a gym membership to allow access to a heated pool for ongoing pool exercises. On 12/30/2014, Utilization Review non-certified a gym membership to twenty-four hour fitness for lumbar , noting that there was no clear rationale provided as to why the injured worker was unable to perform a land-based home exercise program in the home setting. The ODG Guidelines were cited.

IMR ISSUES, DECISIONS AND RATIONALES

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

Gym membership to 24 hour fitness for lumbar spine: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Exercise.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Exercise Page(s): 45-47. Decision based on Non-MTUS Citation Lower back section, Gym memberships

Decision rationale: The MTUS states that exercise is recommended for chronic pain, although there is no sufficient evidence to support the recommendation of any particular exercise regimen over any other. Such programs should emphasize education, independence, and the importance of an on-going exercise regime. The MTUS also recommends aquatic therapy as an optional exercise strategy in cases where land-based exercise or therapy is not tolerated, as it can minimize the effects of gravity, and may be appropriate for a patient that is extremely obese. The MTUS does not specifically address gym memberships. The ODG discusses when a gym membership is recommended for back injuries. It states that the gym membership is only recommended when a home exercise program has not been effective and there is a need for equipment. Plus treatment needs to be monitored and administered by medical professionals, such as a physical therapist for example. Unsupervised exercise programs do not provide any information back to the treating physician, which is required to make adjustments if needed and to prevent further injury. In the case of this worker, since he had been completing his formal pool therapy (reason for pool therapy over land-based therapy was not provided in the notes), his exercises would not be supervised or regulated by any provider. Also, without a documented justification for pool exercises over land-based exercises, there is also no reason to approve this gym membership. Therefore, the gym membership will be considered medically unnecessary.