

Case Number:	CM15-0019158		
Date Assigned:	02/09/2015	Date of Injury:	03/05/2003
Decision Date:	03/25/2015	UR Denial Date:	01/26/2015
Priority:	Standard	Application Received:	02/02/2015

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: California, Indiana, New York
Certification(s)/Specialty: Internal Medicine

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 59-year-old female reported a work-related injury due to assault on 3/5/2003. Recent diagnoses were not given. She reports discomfort in the neck and lower back, but increased pain in the left knee. Previous treatments include surgery, medications, nerve blocks, epidural steroid injections and physical and aquatic therapy. The treating provider requests gym membership for self directed aquatic therapy for 12 months. The Utilization Review on 1/26/2015 non-certified gym membership for self directed aquatic therapy for 12 months, citing CA MTUS guidelines.

IMR ISSUES, DECISIONS AND RATIONALES

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

Gym Membership for self directed aquatic therapy (months), QTY: 12: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Physical Medicine Page(s): 98-99. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Lumbar Spine, gym memberships and on the Non-MTUS ACOEM Practice Guidelines, Chapter 7: Independent Medical Examinations and Consultations, page 114

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Aquatic therapy Page(s): 22. Decision based on Non-MTUS Citation Low back section, Gym memberships, Pain section, Aquatic therapy

Decision rationale: Pursuant to the Official Disability Guidelines, 12 months participation in a gym membership is not medically necessary. Gym memberships are not recommended as a medical prescription unless a documented home exercise program 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 area 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. Gym memberships, health clubs, swimming pools, athletic clubs, etc., would not generally be considered medical treatment and are therefore not covered under these guidelines. Aquatic therapy is recommended as an optional form of exercise therapy. Aquatic therapy can minimize the effects of gravity so it is specifically recommended where reduced weight-bearing is desirable, for example extreme obesity. Unsupervised pool use is not aquatic therapy. In this case, the injured worker's working diagnosis are neck pain; lower back pain; and shoulder pain. Gym memberships, health clubs, swimming pools, athletic clubs would not generally be considered medical treatment and are therefore not covered under the Official Disability Guidelines. Additionally, unsupervised pool use is not aquatic therapy. Consequently, absent clinical documentation to support aquatic therapy and a gym membership, 12 months participation in a gym membership is not medically necessary.