

Case Number:	CM15-0065244		
Date Assigned:	04/13/2015	Date of Injury:	10/07/2010
Decision Date:	05/13/2015	UR Denial Date:	03/13/2015
Priority:	Standard	Application Received:	04/07/2015

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:

The injured worker is 42 year old male who sustained an industrial injury on 10/7/2010. His diagnoses, and/or impressions, include: lumbar disc disease without myelopathy; and long-term use of narcotic medications. Originally no magnetic resonance imaging studies were done due to metal in the eye, however it is stated a magnetic resonance imaging study of his lumbar spine was done which ruled him out as a surgical candidate. His treatments have included rest from work, then work restrictions; lumbar epidural steroid injection therapy - ineffective; physical therapy; modification of activities; a functional restoration program - graduate; a qualified medical examination (2015); a home exercise program; a history of pain medications, without current use; topical analgesics for back pain. The progress notes of 3/5/2015 and 3/6/2015 noted complaints that included chronic, moderate, radiating low back pain due to lumbar disc displacement. The pain radiates down to the posterior aspect of the lower extremities, to the ankle, causing falls approximately 2 x a month. The history notes the request for gym membership for the lumbar on 10/1/2014 and for a gym membership for 6 months on 2/20/2015. The physician's requests for treatments included a 13 week health club membership with pool access, since the request for a 6 month gym membership was denied, and the use of gym equipment was deemed to be necessary.

IMR ISSUES, DECISIONS AND RATIONALES

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

Thirteen week health club membership with pool access: Upheld

Claims Administrator guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Aquatic therapy Page(s): 22.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Pain Section, Gym Memberships.

Decision rationale: Pursuant to the Official Disability Guidelines, 13-week health club membership with pool access 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. In this case, the injured worker's working diagnosis is lumbar disc displacement without myelopathy. The rationale for the gym membership includes: The patient has no space for home exercise equipment or the space to perform exercises at home. He also states that he is intermittently homeless so he does not have a stable living environment. This is not a clinical indication for a 13-week health club membership. Gym memberships, health clubs, swimming pools, athletic clubs, etc., would not generally be considered medical treatment and are therefore not covered under these guidelines. Consequently, absent clinical documentation with an appropriate clinical indication with guideline non-recommendations, 13-week health club membership with pool access is not medically necessary.