

Case Number:	CM15-0066416		
Date Assigned:	04/14/2015	Date of Injury:	02/17/2012
Decision Date:	05/13/2015	UR Denial Date:	04/01/2015
Priority:	Standard	Application Received:	04/08/2015

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: Iowa, Illinois, Hawaii

Certification(s)/Specialty: Preventive Medicine, Occupational Medicine, Public Health & General Preventive 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 a 62-year-old female, with a reported date of injury of 02/17/2012. The diagnoses include lumbar disc disease, lumbar radiculopathy, lumbar facet syndrome, and bilateral sacroiliac joint arthropathy. Treatments to date have included bilateral L3-4 and L4-5 transforaminal epidural steroid injections, and aquatic therapy. The follow-up evaluation report dated 02/18/2015 indicates that the injured worker complained of low back pain, rated 8-9 out of 10. The pain radiated to the bilateral legs with numbness and weakness of the bilateral knees. There was total numbness of the left side of her knees. The physical examination showed normal lordosis and alignment of the lumbar spine; diffuse tenderness with guarding over the lumbar paravertebral musculature; moderate facet tenderness over the L3-5 level; decreased lumbar range of motion; and normal bilateral knee range of motion; normal bilateral hip range of motion; and decreased sensation in the bilateral lumbar dermatomes. The treating physician requested a 6-month gym membership with pool access to avoid further injury and deconditioning to her lumbar spine.

IMR ISSUES, DECISIONS AND RATIONALES

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

Gym membership, 6 months, with pool access: Upheld

Claims Administrator guideline: The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines: Low Back Chapter - Gym memberships; Chapter 5221.6600, Health Clubs.

MAXIMUS guideline: Decision based on MTUS Chronic Pain Treatment Guidelines Aqua Therapy, Physical Medicine Page(s): 22, 99. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG) Gym Membership and Other Medical Treatment Guidelines http://www.nhlbi.nih.gov/guidelines/obesity/bmi_tbl.pdf.

Decision rationale: The MTUS guidelines are silent as to gym memberships so the Official Disability Guidelines were consulted. For pool access, the MTUS aquatic therapy and physical medicine sections were consulted. The official disability guidelines state "gym memberships are 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." The official disability guidelines go on to state "Furthermore, treatment needs to be monitored and administered by medical professionals". The California MTUS guidelines recommend aquatic therapy in cases of extreme obesity with "active self-directed home Physical Medicine". The treating physician did not state why continuation of a home exercise program would not be effective and the patient does not meet the ODG and MTUS criteria. The request for a six month gym membership with pool access is not medically necessary.