

<b>Case Number:</b>	CM15-0066642		
<b>Date Assigned:</b>	04/14/2015	<b>Date of Injury:</b>	12/01/2000
<b>Decision Date:</b>	05/13/2015	<b>UR Denial Date:</b>	03/24/2015
<b>Priority:</b>	Standard	<b>Application Received:</b>	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: 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 a 66-year-old male, who sustained an industrial injury on 12/1/2000. The mechanism of injury was not provided for review. The injured worker was diagnosed as status post liver transplantation with incisional hernia (due to end stage liver disease from hepatitis C) and femoral-popliteal bypass with subsequent below the knee amputation. There is no record of a recent diagnostic study. Treatment to date has included several surgeries, physical therapy and medication management. In a progress note dated 3/11/2015, the injured worker complains of recent lower gastrointestinal bleed and inability to lose weight to have hernia repair. The treating physician is requesting a gym membership with a personal trainer.

### IMR ISSUES, DECISIONS AND RATIONALES

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

**Gym membership, personal trainer (150-300 minutes per week for 1 year): Upheld**

**Claims Administrator guideline:** The Claims Administrator did not base their decision on the MTUS. Decision based on Non-MTUS Citation Official Disability Guidelines (ODG), Gym Membership.

**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 Membership.

**Decision rationale:** Pursuant to the Official Disability Guidelines, gym membership, personal trainer, 150 to 300 minutes per week for one year is not medically necessary. Gym memberships are not recommended as a medical prescription unless a documented home exercise program periodic assessment, 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 workers working diagnoses are lower extremity edema and pulmonary hypertension; uncontrolled hypertension; dyslipidemia; sleep apnea on CPAP; CKD (chronic kidney disease); obesity. The injured worker has additional comorbid conditions including status post liver transplant, hepatitis C, status post femoral popliteal bypass, celiac artery aneurysm, incisional hernia, etc. (see chart for details). 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 guideline recommendations regarding gym memberships, gym membership, personal trainer, 150 to 300 minutes per week for one year is not medically necessary.