

CDC Report

Friday October 21 , 2005

Los Angeles California

Legislative Report: Mike Arnold reported that the legislature is out until January, 2006, and that the upcoming election will impact future budget sessions. There is a projected \$6 billion deficit for 2006. There were over 900 bills sent to the Governor at the end of the session. The Governor signed 76% and vetoed 24%.

Mike Arnold discussed the upcoming election and the propositions on the ballot. His view is that no matter what the outcome is, there will be several months of analysis and discussion about what this election really means. Of key importance to health providers is the Leave Within Our Means Act (Proposition 76). This measure could reduce the state budget in future years. Mike reviewed with those present the current Legislative highlights & status report which is also posted on the CDC web site.

Medicare Part D: Peter Crooks stated that Medicare +choice patients will be disenrolled from their health plans if they sign up for Medicare Part D. Plan: Peter and Yvette will look into the legal language of the Medicare part D law and validate this. Dual eligibles can change enrollment every 30 days. Will also bring up this issue to NRAA and KCP since it is a national issue. John De Palma suggested that CDC write a letter to Dr. Mark McClellan and Dr. Barry Straube stating our concern about Medicare Part D's impact on Medicare +choice patients; also Tom Paukert stated that dual eligibles should apply for the limited income benefit to limit their co-pays and the donut hole in the middle of Part D.

KCP Report: There is the potential for a 1.6% update in January, 2006. The bill before Congress also includes a pay for performance component. This bill is currently being analyzed.

Regulatory Report:

LVN issues: BRN is meeting in Glendale at the beginning of December. DHS has been citing units for using LVNs outside of their scope of practice. Plan: Susan Vogel will attend BRN meeting and we will monitor the situation.

Licensing & Certification: Mike Arnold revived the letter that he has sent to DHS putting them on notice as to the potential "Access to Care" issues that will result if the delays in initial licensure and certification of new dialysis clinics continue. Further meeting with DHS are being planned.

Nursing Home Dialysis: Mike Arnold, pursuant to Board direction, has drafted legislation for LTCF Dialysis. He will further discuss this issue at the next meeting.

CMS Physician Fee Schedule: John Moran would like CDC to send a letter stating that we agree with the geographic wage index as currently written and do not think the floor should be raised. This letter will be sent to both Dr. Mark McClellan and Dr. Barry Straube at CMS.

ESRD Network Update: Doug Marsh delivered the following information:

- a. 2004 data shows an increase in patients in Network 18, of 4% and a decline in the number of PD patients.
- b. CMS is showing renewed interest in obtaining 2728 and death summaries within allotted time line.
- c. Fistula First is doing very well with over 40% fistula rate. Cannulation training videos are in the works. CMS views this as a success story.
- d. A USRDS comprehensive dialysis study looking at quality of life and nutrition is going to be done. Only 300 units nationwide. Looking at incident patients.

- e. CMS project to decrease dialysis patient provider conflict. All LDO's and independent units will be receiving a set of tools to help with this problem.
- f. CPM - ongoing
- g. Doug would like to remind everyone to please correctly fill out your monthly status reports when patients are involuntarily discharged. When marked as a transfer, CMS thinks we don't have problems with these patients. Please mark as an involuntary discharge.

Medicare/ Medi-Cal Report: Draft letter to Stan Rosenstein in response to NDC codes written by Cindy LaMunyon was approved.

Membership Report: Mike Paget reported for Nancy Ann James that the membership status is unchanged from the September.

CDC Program Committee: : The November 18, 2005 Educational Meeting in Northern California will be held in conjunction with Network #17 at the Park Plaza Hotel in Oakland. The CDC Board will meet in the morning and the Network #17 speakers will continue from 12 noon until 3:30. Lunch will be included.

Annual Meeting; Dario Frommer has agreed to speak. There will be a conference call next week to start planning.

Other Business: Lori Hartwell is interested in producing a video in conjunction with CDC on how to talk to a legislator. There is the potential to put it on our website via a link. Will ask Lori for a budget.

Next Open Board Meeting

November 18, 2005 Oakland

In conjunction with Network 17's Annual Meeting

For more information and a registration form, please visit our web site at:

http://www.caldialysis.org/next_meeting.htm