



CDC Report

Board Meeting ~ Oakland

January 2008

In this issue

Below is a report from the California Dialysis Council's Board Meeting held January 18, 2008 in Oakland, California.

LEGISLATIVE REPORT

REGULATORY REPORT

FEDERAL ISSUES ~
UPDATE

MEDICARE/MEDI-CAL
REPORT

PROGRAM REPORT

NEXT OPEN BOARD
MEETING

• LEGISLATIVE REPORT

Michael Arnold delivered the legislative report.

1. **Medi-Cal Reimbursements. 10% Cut Proposed.** The Governor has proposed a 10% cut in Medi-Cal reimbursement rates. CDC is strongly opposed to these cuts and has testified in Budget subcommittee hearings against the cuts. More on this later!
2. **Medi-Cal Reimbursement Delays Proposed.** The budget proposal also calls for the last 2 Medi-Cal check writes for June 2008, to be put off until July, provided a budget is in place by that time, so they will be paid from the new budget year funds. Importantly, all payments for August will be delayed until December. These actions are needed, say the finance experts, to deal with "cash flow" problems of the State. Again, CDC is strongly opposed to these delayed check writes and has testified in budget subcommittees against the delayed payments.
3. **Special Session on the Fiscal Crisis.** The Governor has called a State of Financial Emergency and the legislature has 45 days to act upon the proposals by the Governor for mid year budget cuts- including provider reimbursement cuts! The Governor also called a special session to deal with the fiscal emergency.

Our Corporate
Partners

The logo for Amgen, featuring the word "AMGEN" in a bold, blue, sans-serif font.

[Visit Amgen's Website](#)



[Visit Roche's Website](#)

Quick Links...

- [Our Website](#)
- [Meeting Information](#)

4. **Alliance for Patient Care.** Michael stated that CDC is participating in the Alliance for Patient Care-a coalition of more than 60 provider groups. CDC will be asking members to write letters to their legislators in opposition to the Medi-Cal reimbursement cuts and will be working with the Alliance to stop the cut and delayed payment proposals.
5. **Legislative Days in Sacramento.** A legislative day for CDC members is planned for or March. We may also have another legislative day in February this year.
6. **Visit with Legislator.** Assemblyman Mike Davis from Los Angeles has accepted our invitation to attend the next CDC Board Meeting in Los Angeles. Prior to attending the CDC meeting, Assemblyman Davis will visit one of the DaVita clinics in his district.
7. **Legislative Status Report.** The legislative Status Report was distributed to those in attendance (see below for details on downloading your copy).
8. **Pending Legislation.** There are a number of pending proposals impacting healthcare:

AB 74 Sponsored by Assemblyman Dymally requests the University of California to establish and administer an Institute for the Study of the Phenomenon of Obesity and Diabetes Experimental Research at the UC Irvine campus.

AB 214 Sponsored by Assemblyman Fuentes addresses Dialysis services in Long Term Healthcare Facilities.

AB 1770 The proposed 2008-09 Budget

ABX11 Sponsored by Assemblyman Nunez proposes Health Care Reform.

SB 840 Sponsored by Senator Kuehl proposes Single-payer health care coverage.

SB 1014 Sponsored by Senator Kuehl proposes a Single-Payer Health Care Coverage Tax.

SB 1067 Sponsored by Senator Ducheny is the proposed 2008-09 Budget.

Anyone with an interest in specific pieces of legislation can go to the CDC website at:

www.caldialysis.org/status_report.htm to view the current Legislative Status Report. A click on the bill number will bring up a copy of the bill.

• REGULATORY REPORT

Michael Arnold reported some hemodialysis treatments are now being provided in Southern California Skilled Nursing Facilities (SNF). Kaiser is targeting 'semi-acute' patients-those who can't live at home or can't be transported from their SNF to a dialysis clinic.

• **FEDERAL ISSUES ~ UPDATE**

Marc Chow distributed a summary of Federal legislative Activities and a report of MedPAC Meetings from Patton Boggs, LLP, to members in attendance. The ESRD Bundling Proposal is still an issue for 2008 since the physician fix (no 10.1% Medicare cuts to physicians) is only through June 30, 2008.

NRAA held a legislative update conference call on December 7, 2007 for NRAA and CDC members. Another call is scheduled for February 1, 2008 at 9:00 a.m. (PST). The call in # is (800) 791-2345 and access code - 30939#.

NRAA and CDC members used CapWiz extensively from September-December 2007. CDC members will be asked to continue this system to contact legislators in spite of communications received from some CDC members that these emails are not the best way to contact individual legislators. Staffers at the legislators offices indicate that these email are getting the appropriate attention.

Priorities for 2008 include continued efforts to secure providers an annual update for the composite rate, keeping an eye on an ESRD bundled payment system and act promptly when needed and for the long awaited Conditions for Coverage to be released in February 2008.

• **MEDICARE/MEDI-CAL REPORT**

Cindy LaMunyon reported that as of January 1, 2008, the line item date of service billing procedure for home dialysis patients is to bill according to a previously determined plan of care. For home patients the JW modifier for waste does not apply. Some providers are considering Aranesp pre- fills for their home patients. Erythropoietin Stimulating Agent rules don't apply to doses self-administered or if the patient comes to the dialysis center for back-up hemodialysis.

Blue Cross of California is refusing to pay for EPO if the patient's Hemoglobin is >12. The ESA policy effective January 1, 2008 limits Hemoglobin levels > 13. If this level is exceeded for three consecutive months, payment will be for 50% of the EPO billed. There is no appeal allowed.

The ESA limit for reimbursement has been reduced from 500,000 units per month to 400,000 units per month.

The National Provider Identifier numbers will be required on billing effective May 23, 2008.

Next month, California is getting a contract for a demonstration project to see if billing by physician offices has been appropriate. This look-back will be limited to the

Email: mail@caldialysis.org

Website:

<http://www.caldialysis.org>

Tel: 928-717-1156

prior three years of records. The contractor will be looking for poorly documented EPO dosing; signs and symptoms, results, outcomes, mostly for EPO resistant patients.

Most Fiscal Intermediaries (FIs) are not reversing denials on appeal for EPO given when the patient's Hematocrit is > 39. We can continue to try to justify, but the FIs can set their own criteria for reimbursement.

We need to remember that Social Security Numbers will NO longer be accepted as identification for recipients on Medi-Cal claims effective February 1, 2008.

• PROGRAM REPORT

Dr. Peter Crooks reported that the program is coming together. Along with other topics, we have planned two panels; one with CEOs of large dialysis organizations and one with Medical Directors.

Mike Paget reported that he and Karen Dyer had visited the LaQuinta Resort in LaQuinta, near Palm Springs to see if that would be a viable option for our 2009 Annual Educational Conference. While the property is very nice, the guest room rates (dependant on meeting dates) are from \$214-\$249 per night. The Wyndham Palm Springs Hotel is changing ownership, but the rates there will be \$189 per night. The Board did not believe that the difference could be justified. The Board agreed that the 2009 meeting will be held at the Wyndham Palm Springs Hotel (although there might be a different name) on April 15-19, 2009

• NEXT OPEN BOARD MEETING

February 15, 2008 ~ Los Angeles

For more information and a registration form, please visit our web site at: www.caldialysis.org/next_meeting.htm

[Forward email](#)

✉ **SafeUnsubscribe®**

This email was sent to mail@caldialysis.org, by mail@caldialysis.org
[Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).

Email Marketing by

