



CDC Report

Board Meeting ~ San Francisco

October 2008

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Below is a report from the California Dialysis Council's Board Meeting held October 17, 2008 in San Francisco, California.

• LEGISLATIVE REPORT

Mike Arnold delivered the legislative report. The 2008-2009 budget bill was the latest budget in California history. The Legislature and the Governor faced a \$15.2 Billion deficit and they balanced the budget with a 10% cut in Medi-Cal reimbursements, a \$3 Billion cut to education, borrowing and gimmicks. Now the budget deficit for next year continues to grow. It is likely a Special Session will be called to address the budget issues-probably in December, after the new Legislature is seated on the first Monday in December.

Medi-Cal Reimbursement Cuts: The U.S. District Court issued a preliminary Temporary Restraining Order (TRO) on August 18, 2008 to halt the 10% payment reduction for some providers under the Medi-Cal program-including dialysis clinics. There are four (4) lawsuits currently in play. Dialysis providers are currently exempt from the cuts because some physicians included dialysis patients as a population who would suffer "immediate harm" as a result of the cuts.

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The Legislative Status Report dated October 17, 2008 was reviewed and discussed. Mike Arnold pointed out that members may want to explore AB 2747 in more detail. This measure was enacted. It relates to end of life issues.

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



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current Legislative Status Report. A click on the bill number will bring up a copy of the bill.

• REGULATORY REPORT

Karen Dyer discussed the issue of only the LDOs having the ability to batch enter data to CROWNWeb. Letters have been sent from not only CDC, but Satellite Healthcare and the National Renal Administrators Association to CMS describing the burden of data reporting as it is currently being implemented by CMS. Diane Feinstein's office has been contacted. Statutory language to implement this system currently exists and may serve as a roadblock to postpone or alter implementation until some of the issues can be addressed.

Mike Arnold discussed the current status of the "Access to Care" letter. A letter dated September 8, 2008 from Department of Public Health (DPH) to CMS was distributed. While no clarification of this issue is currently available, it is hoped that CMS will clarify this issue for DPH.

CfC Interpretive Guidelines ~ Re: Patient Care Technician Certification: Per direction of the Board, the California Legislative Council has been contacted and presented with a Draft of the proposed changes to the current Technician Training Act so that it would be in compliance with the new federal regulations. California has over 6000 patient care technicians (PCTs) who must be certified by April 15, 2010. The Draft will be finalized and then presented to CMS to receive feedback on the process. An Urgency clause will be invoked so that legislation, if approved would take effect immediately upon signature by the Governor. The language of the CfC will be incorporated. It will be important to make this a budget neutral/savings bill, if possible.

It was motioned that CDC Board authorize further development and revision of the California Technician Training Act so that California certification meets the requirement of national certification and such draft to be presented at the November meeting. After duly seconded, the motion was approved.

• FEDERAL ISSUES ~ UPDATE

The issues pertaining to CROWNWeb were discussed during the Regulatory Report.

Marc Chow recommended that a CDC Kidney Care Partners (KCP) Work Group be developed to give feedback on the Federal Issues so that Mike Paget can move into a more active role as a participant with KCP. He also recommended that Mike attend the Kidney Care

Council (KCC) meetings the day before the KCP Board Meetings. The recommendations were approved by the Board.

- **MEDICARE REPORT**

Dr. Carol DiRaimondo reported that CDC has been invited to participate in the MAC with Palmetto Carrier Advisory Committee (CAC) which will take place November 19, 2008 in Los Angeles. The CDC representative will be Carol with Dr. Paukert as the alternate. It is felt to be important for CDC to continue this relationship.

- **PROGRAM REPORT**

Mary Brattich presented the following report: The planning committee for the 2009 Annual Educational Conference has now had a number of conference calls and a draft program agenda has been developed. Mary reviewed the details with those present.

- **OTHER BUSINESS**

Mike Paget presented the Board Meeting dates for 2009 with a suggested Legislative Day in Sacramento in March. The Legislative Day and meeting dates were agreed upon by consensus.

For a listing of these dates visit our web site at: http://www.caldialysis.org/Board_Meetings.htm

- **NEXT BOARD MEETING**

November 21, 2008 ~ Los Angeles

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

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