



# CDC ~ REPORT

Board Meeting ~ Los Angeles

February 2009

In this issue

[LEGISLATIVE REPORT](#)

[REGULATORY REPORT](#)

[FEDERAL ISSUES ~  
REPORT](#)

[PATIENT  
ORGANIZATIONS ~  
REPORT](#)

[GRASSROOTS REPORT](#)

[NETWORK REPORT](#)

[MEDICARE REPORT](#)

[MEDI-CAL REPORT](#)

[PROGRAM REPORT](#)

[NEXT BOARD MEETING](#)

Below is a report from the California Dialysis Council's Board Meeting held February 20, 2009 in Los Angeles, California.

## • LEGISLATIVE REPORT

Mike Arnold delivered the legislative report stating that the Governor is expected today to sign a fiscal package that the legislature sent to his desk after they had been "locked down" for the past four days. Mike gave those present some background on the legislative and budget process. For a full report on the budget [click here](#).

*Medi-Cal:* There are no changes to the provider rate cuts. The 10% rate cut that was stayed by the courts will expire on February 28th and on March 1st a rate cut of 1% will go into effect for Medi-Cal providers. It's not clear if any court action will take place, but if not the 1% cut will go into effect for both 100% Medi-Cal and Medi-Medi patients. The legislature also continued the ability for the Department of Healthcare Services should they deem it appropriate to withhold payments for a month if there are cash flow problems. Also, a number of optional benefits were eliminated, such as Adult Dental, Acupuncture possibly Chiropractic and others. Non-Emergency Medical Transportation for our dialysis patients was not eliminated.

*SB112 Hemodialysis Training Act:* CDC will be sponsoring two pieces of legislation in 2009. SB112 introduced by Senator Oropeza (copies were distributed to those present), and a bill to eliminated the existing Home Dialysis Law that has never been implemented. This law has complicated our operations in Skilled

---

Our Corporate

## Partners



[Visit Abbott's Website](#)

---



[Visit Amgen's Website](#)

---



[Visit Watson's Website](#)

---

## Quick Links...

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

Nursing Facilities (SNFs) as CDPH attorneys have used the law in interpreting the dialysis operations in SNFs. This bill has not been introduced as of yet, but Senator Waters has agreed to do so. Mike Arnold reviewed SB112 Hemodialysis Training Act that would modify the existing California Hemodialysis Training Act bringing it into compliance with the new federal conditions for coverage. He also reviewed proposed amendments that need to be added to the bill as introduced. The CDC Technician Committee met via a telephone conference on February 19th with Glenda Payne of CMS to review the steps necessary for us to provide a standardized test that would meet CMS requirements for certification. Glenda indicated that it may take another month before CMS will have a written policy on their requirements. In the meantime the CDC workgroup convened at last month's Board Meeting will start working on the standardized test. Danilo Concepcion, Jill Stringfield, Carolyn Haines and Richard Van Der Plas have also agreed to serve on this workgroup. Mike Arnold reiterated that patient care technicians should study in preparation to take the first available national test in their area.

Anyone with an interest in specific pieces of legislation can go to the CDC website at: [www.caldialysis.org/status\\_report.htm](http://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

*Facility License Fee Update* ~ Mike Arnold reported that California Department of Public Health (CDPH) has posted on their web site a report that breaks down the staffing and percent of time taken to survey and review healthcare facilities, including dialysis clinics. Base on these findings, we have been advised that there will not be an increase in licensing fees this year.

*Access to Care Letter:* Mike Arnold discussed the current status of the "Access to Care" letter. A meeting between CDPH and Steven Chickering, Director of CMS Region IX and the California Dialysis Council has been requested to further discuss this issue. The meeting is currently scheduled for March 4, 2009. Initial facility surveys have improved in general, but there are still problems in Los Angeles, Riverside and San Bernardino counties with delays. A discussion ensued led by Marc Chow reviewing this issue on a national basis. Clearly there are other states where this issue is more serious.

## • FEDERAL ISSUES ~ REPORT

Mike Paget reported that Kidney Care Partners (KCP) continues to work on the various MIPPA implementation projects. The most active recently is, that of payment reform. The sub groups (Drugs and Lab) have made their recommendations to the main committee and the final issues are being resolved at that level. A number of issues still remain unresolved, but it is the goal of the committee to make final recommendations to the full Board at the next meeting on March 12th in Washington, D.C. Once finalized, these recommendations will be forwarded to CMS for their consideration in the development of the bundled payment system.

## • PATIENT ORGANIZATIONS ~ REPORT

Lori Hartwell reported on the Patient Organizations activity with KCP working on the Patient Education Benefit (six sessions for Medicare CKD 4 patients, starting in 2010). Several issues have been discussed, such as the length of each training session, the time frame for completing the six sessions and what should be the trigger for the indication of the start of the one year time frame. Currently as per MIPPA regulations these training programs cannot be provided by reimbursed to dialysis providers. There has been some talk within KCP to go back to the legislature and request that the facilities be allowed to provide this benefit. Some of the patient groups are not currently in favor of this proposal and believe that the education should be provided by the physicians and all options explained.

The Renal Support Network is producing a play called Who Lives? to open in Los Angeles at the Pico Playhouse on March 12, 2009 for World Kidney Day. The play will run from March 12 - 29, 2009. This production will serve as a platform for discussion, education and outreach on the importance of prevention of chronic kidney disease, the miracle of dialysis and organ donation awareness. [Buy Tickets Now](#)

Email: [mail@caldialysis.org](mailto:mail@caldialysis.org)

Web site:

<http://www.caldialysis.org>

Tel: 928-717-1156

## • GRASSROOTS REPORT

Mark Chow confirmed that the next Board Meeting and

CDC Legislative Day will be on Tuesday, March 17, 2009 in Sacramento. The meeting information has already been distributed and can be found on our web site by [clicking here](#). This also contains information on how to make your appointments with your legislators. More information on the talking points will be forthcoming. Marc stressed how important it is to let the legislators know about our industry and the patients we serve and request their support for passage of our two bills.

## • NETWORK REPORT

Lana Kacharova introduced the new Network 18 Executive Director Harriot Edwards. Lana continued with an update on CROWNWeb stating that CMS is going to roll out CROWNWeb in several stages. In the first stage only four Networks are going to participate. They are Networks 3, 8, 12 and 16 and each of these Networks will have one LDO (DaVita/DCI/FMC) and one other facility for a total of only eight facilities. These facilities are currently having weekly conference call with CMS. All California dialysis facilities should continue submitting data as usual to Networks 17 & 18.

*Conditions for Coverage:* As we are learning more about the implementation of these new regulations Network 18 is posting resources on its web site at: [http://www.esrdnetwork18.org/professionals/Condition\\_for\\_Coverage/CondForCov.php](http://www.esrdnetwork18.org/professionals/Condition_for_Coverage/CondForCov.php). In addition to these resources, Network 18 has updated their Quality Improvement Manual and disseminated it to all facilities. Anyone wanting a hard copy should contact Network 18 at (323) 962-2020 or they may download it from their web site by [clicking here](#).

*EMS Agencies:* According to the 2008 ESRD Conditions for Coverage, V416: "Dialysis facility must contact its local disaster management agency at least annually to ensure that such agency is aware of dialysis facility needs in the event of an emergency." Network communication with dialysis facilities showed that there was no uniformed communication process in place between dialysis units and disaster management agencies. To address the community needs, ESRD Network 18 in cooperation with the Regional Medical and Health Coordination programs have developed an Annual Update document and information sharing process to facilitate the connecting with the local disaster management agency (available at the Network 18 web site by [clicking here](#)). This form, once completed by the Dialysis Center, is forwarded to the Network 18 office. The forms are then submitted to the

Local Emergency Medical Services Agency for validation and inclusion in the Emergency Resources Directory Pre-planning documents. The EMS Agency will return a confirmation of the receipt of the "Dialysis Facility and Emergency Medical Services (EMS) Agency - Annual Update" form for verification of compliance with the "2008 ESRD Conditions for Coverage, V416" requirement. To ensure that the Southern California community is aware of these processes, the Memorandum of Understanding (MOU) was also developed. Once finalized, this document will be distributed to all dialysis facilities, EMS and OES agencies, and State Survey Agencies.

### • **MEDICARE REPORT**

Cindy LaMunyon reported that a number of providers have reported that for some reason Palmetto is denying claims for Vancomycin. It has been confirmed with CMS that there is not a new National Decision Coverage Policy to prohibit reimbursement for Vancomycin and that it is probably a local problem with Palmetto. Investigations with Palmetto are on going.

Dr. Carol DiRaimondo confirmed that the next Palmetto Advisory Committee meeting will be on March 18th at the Oakland Airport Hilton Hotel. The draft of the new ESA policy will be discussed at this meeting. A copy of the policy can be found on the CDC web site by [clicking here](#)

### • **MEDI-CAL REPORT**

Mike Paget reported that he had heard from a member in Southern California that they have nine Emergency Medi-Cal patients who have now lost their Medi-Cal benefits presumably due to their residency status. Their social worker has contacted Network 18 for advice on discharging these patients. Mike is waiting for Medi-Cal documentation from the facility so that we can investigate further.

### • **PROGRAM REPORT**

The meeting brochure has been distributed to all CDC members and mailed to all California dialysis facilities. A copy can also be obtained from our web site by [clicking](#)

[here](#). Please register early and don't forget to make your hotel reservations!! The Wyndham Palm Springs Hotel is filling up quickly.

- **NEXT BOARD MEETING**

And Legislative Day will be held on:  
March 17, 2009 ~ Sacramento

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

[www.caldialysis.org/next\\_meeting.htm](http://www.caldialysis.org/next_meeting.htm)