



CDC Report

Board Meeting ~ Oakland

October 2009

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Below is a brief report from the California Dialysis Council's Board Meeting held October 16, 2009 in Oakland, California. For **CURRENT NEWS** regarding the ESRD community, please visit our web site news page at: <http://www.californiadialysis.org/news.html>

• LEGISLATIVE REPORT

Michael Arnold (present with a new and improved hip) delivered the following legislative report:

The Legislative session ended September 11, 2009. Mike provided a summary of the two bills sponsored by CDC.

SB221 This bill repeals the previously enacted home dialysis law. That law had only caused confusion in interpreting the language with regulatory bodies. This action has created a blank slate should the council ever want to pursue new legislation for the provision of dialysis services in nursing homes. Mike recommends waiting at least a year before tackling any new legislation on this issue. CMS needs to make a determination for payment of dialysis services in nursing homes and until this is done, it will be hard to implement any statute in California that is doing more than the existing situation. Nursing homes are able to obtain approval for "Optional Services" that permit them to offer dialysis services.

SB112 (creates an alternative pathway for Hemodialysis Patient Care Technician Certification in California). The bill has passed both houses and was signed into law by the Governor on October 11, 2009. This brings California into compliance with the federal CfC requirement that PCTs pass a CMS approved test by

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April 15, 2010. A meeting is scheduled for Monday, October 19th with the California Department of Public Health (CDPH) to go over the details of how this new law will be implemented. Once these details have been finalized, CDC will distribute a memorandum to the membership to bring them up to date on the new process for California PCT Certification.

Post Script: Meeting was held and the CDPH stated that they needed to know that the process was accepted by CMS before moving forward. The California documents were delivered by hand to Judith Kari, Technical Manager, Survey & Certification Program of CMS on Tuesday, October 20 who gave 'draft approval' and stated it will be put in writing on Friday, October 30th .

The Legislature is back for two Special Sessions - one on water and one on reforming the tax basis for revenue.

The Legislative Status Report is available on the CDC website at:

www.californiadialysis.org/legislative_status.html.

Accessing in this manner allows you to link directly to the whole bill.

• REGULATORY REPORT

Mike Paget presented the report and provided an update on the CHT test. All PCT training programs will have to be re-certified by CDPH due to the new training requirements from the CfC that are now incorporated into the new California law. CDC continues to pursue CMS' approval by Judith Kari, but this has not been received as of yet. (Please see post script) Once this and CDPH approval has been received, the first exam offerings can be finalized. The on line application and other supporting documents are ready to be posted on our web site once approvals have been received. Two PCTs took the test and passed with scores similar to what they achieved on the National Test. For a copy of the signed bill and the Hemodialysis Technician Training Act, please visit our web site at:

www.californiadialysis.org/res_pct_info.html

The topic of the Renal Dietician Scope of Practice issue that was discussed at August meeting was brought up once again. However, there was still not enough concrete information to fully review the issue. The topic will be visited again at November Board Meeting if specific citations are available to discuss.

• PATIENT ORGANIZATIONS REPORT

Mike Paget reported for Lori Hartwell. The patient groups are concerned that the bill to extend that

coverage for Immunosuppressive drugs for kidney transplant patients may not pass if enough support is not seen by congress. A patient group coalition sent a letter to key congressional members and Dr. Paukert recommended that the CDC send a similar letter of support. He volunteered to draft such a letter and forward it Mike Paget.

The patient groups are also preparing to verbally comment at the CMS Town Hall Meeting on the Proposed Rule on the new PPS for ESRD. The RSN www.kidneypol icy101.com public bulletin board is collecting comments from all over the country and will be used to provide written comment to CMS.

• **FEDERAL ISSUES REPORT**

Marc Chow presented a PowerPoint presentation on the current major issues related to the proposed bundling of ESRD payments. The Board and membership were encouraged to send in comments regarding the specific issues that they have experience with and any concerns that they wish to convey to CMS. More information on the MIPPA implementation and the ESRD Prospective Payment System Proposed Rule can be found on the CDC web site resources section at: www.californiadialysis.org/res_leg.html

• **COMMUNICATIONS REPORT**

Brian Wong presented the report and discussed progress or lack thereof, of obtaining links/info to post on the Physician Information resources section of the site. Most of the providers of this information will not allow us to post the actual documents, but want us to link to them so that they may report the "hits" to their site to their advertisers.

Other resources sections are being populated with little problem.

• **MEDICARE REPORT**

Misha Palacek presented the report. A coding issue on Epogen by Palmetto was discovered and an automatic mass adjustment will be made to rectify the situation.

Carol DiRaimondo attended the Carrier Advisory Committee (CAC) meeting last week. Palmetto did a service probe on EPO for Out Patient (Part A) claims and found that 50% of claims were denied which will lead to a broader study. This could be related to oncology clinics. A specific laboratory probe for billing claims in ESRD will also be undertaken. This is an area of interest to the OIG. Palmetto has hired more staff to answer questions about denials and claims and in general to increase perception of service. On- line claim review will

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soon be available. A recommendation was put forth to appeal denied claims as generally some money will be received.

- **MEDI-CAL REPORT**

Dr. Paukert presented the report. EDS was acquired by the Hewlett-Packard Company in August 2008. Interactions with providers have not been affected by this acquisition. One of the final stages in the transition plan involves "retiring" the EDS name and logo and replacing them with the new corporate division name, "HP Enterprise Services" and the HP logo.

- **PROGRAM REPORT**

The Wyndham Palm Spring Hotel which will soon be a Renaissance property has proposed dates of 4/14/2011 and 4/12/2012 for our future Annual Educational Conferences. A request for a proposal from Hotel Zoso will be made to compare the two quotes before making the final decision for 2011 and 2012.

Several program planning conference calls have been completed and it is felt that the program is almost final. A draft of that program will be distributed for discussion at the November Board Meeting.

- **OTHER BUSINESS**

Mike Paget presented the meeting dates for 2010.
January 15 - Oakland at the Park Plaza Hotel
February 19 - Los Angeles at the Hacienda Hotel
March 16 - Sacramento Board Meeting and Leg. Day
April 22 to 24 - Palm Springs (Closed)
May 15 - Oakland at the Park Plaza Hotel
June 18 - Los Angeles at the Hacienda Hotel
July - No on-site meeting
August 20 - Oakland at the Park Plaza Hotel
September 17 - Los Angeles at the Hacienda Hotel
October 15 - Oakland at the Park Plaza Hotel
November 19 - Los Angeles at the Hacienda Hotel
December - No on-site meeting

- **NEXT BOARD MEETING**

January 15, 2010 ~ Oakland

For more information, on-line registration and hard copy registration forms, please visit our web site at:
www.californiadialysis.org/next_board_meeting.html

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