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CDC Report

Board Meeting ~ Los Angeles

September 2009

In this issue

[LEGISLATIVE REPORT](#)

[REGULATORY REPORT](#)

[PCT EXAM PROGRAM
REPORT](#)

[PATIENT ORGANIZATIONS
REPORT](#)

[FEDERAL ISSUES REPORT](#)

[COMMUNICATIONS
REPORT](#)

[MEDICARE REPORT](#)

[PROGRAM REPORT](#)

[OTHER BUSINESS](#)

[NEXT BOARD MEETING](#)

Below is a brief report from the California Dialysis Council's Board Meeting held September 18, 2009 in Los Angeles, California. For **CURRENT NEWS** regarding the ESRD community, please visit our web site news page at: <http://www.californiadialysis.org/news.html>

• LEGISLATIVE REPORT

Kristy Foy delivered the following legislative report: The legislative session ended on September 11, 2009. Governor Schwarzenegger has made it clear that he wants a comprehensive package on water, prison reform, and renewable energy, and will veto every bill on his desk unless these are delivered. To make his point, he vetoed a Vietnam Veterans' bill. At that point, the Legislature pulled all the other bills from the Governor's desk. A Prison Reform bill was sent, but it did not contain the savings he was looking for; as well as a bill on Renewable Energy, which he will also veto as it did not outline what he wanted. He may issue an Executive Order or call a Special Session for the water issue if needed. The various bills have now been sent back to his office. October 11, 2009 is the deadline for him to take action on the bills on his desk. He then has three options: sign, veto or allow the bill to become law without his signature (the last option is extremely rare and hardly ever used by a governor). We are now in a waiting mode.

The following update on CDC sponsored bills was given:

Our Corporate
Partners



SB112 - (to create an alternative pathway for Technician Certification). Has passed both houses and is sitting on Governor's desk awaiting his signature. A FAQs document will be created when the bill is signed into laws and a discussion with CDPH has taken place to cover all the questions and issues that may arise.

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SB 221: Repeals the previously enacted home dialysis law as this has only caused confusion in interpreting the language with regulatory bodies.
Adopted by Legislature and signed by Governor.

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

Karen Dyer presented the report: The topic of the Renal Dietician Scope of Practice issue that was discussed at August meeting was brought up. After a review; it was decided to table this topic until the October meeting when hopefully more information would be available.

• PCT EXAM PROGRAM REPORT

Mike Paget and Karen Dyer discussed the updates. *Post meeting update:* UCLA has completed their standardization review of the CDC Exam and CMS is being contacted to elicit their approval.

A meeting with California Department of Public Health (CDPH) will be scheduled as soon as the bill is signed by the Governor.

The first testing session is tentatively scheduled to be in conjunction with the November 20th Board Meeting at the Hacienda Hotel in Los Angeles. Two testing sessions on the Thursday prior to the Board Meeting will be scheduled provided SB112 is signed by the Governor and approval is received from CMS.

• PATIENT ORGANIZATIONS REPORT

Lori Hartwell presented the following: Patient organizations have placed a request for an Open Door Forum with CMS to discuss implications of the newly released Proposed Rule on Bundling.

A number of patients from RSN have been placed on the Kidney Care Partner's (KCP) Performance Excellence and Accountability in Kidney care campaign (PEAK) panel as well as representatives from all patient groups. The Performance PEAK campaign was recently launched by KCP to reduce mortality among first-year dialysis patients - those at the greatest risk - by 20 percent by the end of 2012. The campaign has a new dedicated web site at: www.kidneycar_equality.org and that actual news release can be found on the KCP web site at: http://www.kidneycarepartners.org/files/PEAK_launch_release_06_08.doc.

A small campaign has been launched by RSN to hold an on-line discussion regarding the proposed rule. It is

titled Kidney Public Policy 101 www.kidneypublicpolicy101.com and board topics have been established and the site is up and running. The conversation can be viewed to determine relevant comments that should be submitted. A phone line has also been set up to assist patients to comment on the rule. All comments due by November 16, 2009.

• **FEDERAL ISSUES REPORT**

Marc Chow and Mike Paget presented the PowerPoint presentation developed by KCP. The Proposed Rule was released on September 15, 2009. There is a 60 day window for comments to be submitted for consideration. CMS is hosting a "Town Hall Open Forum Meeting" in Baltimore on October 23, 2009 see the CDC News Update by [clicking here](#) for more details and registration information.

Preliminary overview of the bundle (As presented by KCP on 9/17/09) was presented.

The CDC recognizes that the information presented at the CDC meeting on 9/18/09 regarding the proposed rule for the ESRD PPS as required by MIPPA 2008 was developed by staff and consultants of KCP.

For more information on the latest news regarding the CMS Proposed Rule visit the CDC News Updates by [clicking here](#).

• **COMMUNICATIONS REPORT**

Mike Paget presented the report and discussed progress from recent conference calls among the committee members. A "What's Up?" Box has been added to the right hand side of the home page; a PCT information section has been added, as well as Resource Categories. The old website (www.caldialysis.org) still links to the new one, but this will be dropped when the renewal period comes up, along with the link to the old email address.

• **MEDICARE REPORT**

Guest member Dr. Art Lurvey, Palmetto/GBA Medical Director led the discussion. He reported that a 2010 National Meeting will be held to re-look at coverage for ESA drugs. The next CAC meeting will take place in San Francisco.

Catalina Ramirez, Ombudsman discussed the MACToberfest that will be held in Las Vegas October 29 - 30, 2009. This is a two-day educational and networking event. She also stated that the top 10 billing questions are posted on their website which is www.palmettogba.com. She discussed that every chart note must have a signature and when you call for claim information, you must provide the last 5 digits of the

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tax ID number to protect personal information. Specific patient inquiries must provide a birth date. A re-validation of long time providers is being undertaken in an attempt to discourage fraud. An on line system will be rolled out in November allowing providers to perform on-line checks on many items such a eligibility, claim status, etc.

- **PROGRAM REPORT**

Dates for next year are April 22-24, 2010 at the Hotel Zozo. The first Planning Committee call is scheduled for Tuesday, September 22.

- **OTHER BUSINESS**

Future Board Meeting materials will be emailed to registered participants the Wednesday before the meeting. Only the agenda will be provided on site. Options exist to print and bring paper copies or bring a personal computer and review the documents during the meeting. This will cut down on the copies, many of which are just left on the table after the meeting.

- **NEXT BOARD MEETING**

October 16, 2009 ~ 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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