



CDC Report

Board Meeting ~ Los Angeles

June 2010

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Below is a brief report from the California Dialysis Council's Board Meeting held June 18, 2010 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

Michael Arnold delivered the following legislative report: The state still faces a 19.1 billion dollar deficit. Mike reviewed a number of proposals being floated in Sacramento to address the state's deficit. Ultimately, the issue will be decided by the "Big Five," the Governor, and majority and minority leaders from each side. The take away is that it is going to be a protracted process and to be prepared for Medi-Cal check write delays.

Mike briefly reviewed the legislative status report stating that we are supporting SB 1395, the bill that would hopefully make more organs available for transplantation.

Mike brought to the Board's attention three measures. SJR 13 is a joint resolution which sends a message from the state legislature to CMS saying let's do whatever we can to expedite the process by which new dialysis facilities are certified. SCR 111, regarding California Chronic Kidney Disease Education Week, was sponsored by DaVita and is now in print. The resolution calls for the establishment of November 7 through 13, 2010 as California Chronic Kidney Disease Education Week and as discussed at last month's Board meeting, CDC will continue to support this measure. And finally, HR 31, which is a National Kidney Foundation (NKF) sponsored resolution that calls for a Legislative Task Force on Chronic Kidney Disease. A lengthy discussion ensued on

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the details and the purpose of this resolution. It was suggested that the proposed registered nurse on the task force should be a Certified Nephrology Nurse (CNN) and Mike Arnold should seek more information regarding the resolution from the NKF and report back at the next Board meeting.

The Legislative Status Report is available on the CDC website by [clicking here](#). Accessing in this manner allows you to link directly to the whole bill.

Screening, Education and Tracking (SET) Program Report: Misha Palecek reported that DaVita is working with other provider organizations to restructure the SET Program and will report back when the program has been restructured.

Risk Evaluation and Mitigation Strategy (REMS): Dr. Minasian briefly reviewed the program that requires physicians to disseminate written information to patients on the risks and benefits of ESA therapy. Mike Paget introduced the draft "Fact Sheet" that a coalition of the patient groups, along with the Renal Physicians Association (RPA), has produced with the goal of using this to disseminate to patients at the same time as the REMS documentation. Dr. Paukert gave background information, stating that the RPA is also working on a document for CKD patients highlighting the benefits of ESA therapy.

• REGULATORY REPORT

Mike Arnold reported that as tasked at the last Board meeting he has requested clarification from the Department of Health as to the scope of practice of dietitians and whether they have the ability to write prescriptions.

• PCT EXAM REPORT

Mike Paget reported that yesterday, June 17th, 140 PCTs took the exam in Los Angeles, making a total of 1,829 exams administered since the start of the program in November, 2009. It is forecasted that since the April 15th deadline has passed, monthly exams will ultimately decrease to between 30 and 40 per month. A significant number of these technicians are new trainees that are currently uncertified.

• PATIENT ORGANIZATIONS REPORT

Lori Hartwell reported that the patient organizations continue to fine tune the REMS document, which will be finalized and ready for distribution shortly. All of the patient organizations are anxiously awaiting the publication of the Final Rule and are ready to meet and respond accordingly. With regards to the

immunosuppressant bill, there is some discussion that the new healthcare coverage plan may include three tiers in which the higher level will have immunosuppressant drug coverage.

• **FEDERAL ISSUES REPORT**

Marc Chow and Mike Paget provided the CDC Board with a presentation summarizing the KCP Meeting and presentations. The following three areas were focused on: (1) ESRD PPS (2) Dr. Barry Straube (3) GAO Oral Medication Study.

(1) ESRD PPS

- a. Pending final rule
- b. Expected sometime at the end of June or in July
- c. Top areas of ESRD PPS
 - i. Oral medications (possibly delayed for a year??? GAO is working on an oral medication study that will end in March 2011)
 - ii. Lab (possibly an ESRD related lab list will be included in the final rule???)
 - iii. Case-mix adjusters (Possibly minor changes, unlikely to not have case-mix adjusters included)
- d. Race adjuster
 - i. Unknown
- e. Transition adjuster
 - i. Possibly not as large as a -3% in the first year

(2) Dr. Barry Straube

- a. Provided an update post health reform
 - i. Quality and data
 - 1. Proposed Quality Reporting for ESRD PPS will be released shortly (most likely around the same time as the final ESRD PPS)
 - 2. CROWNWeb will be an important tool or component with collection of data
 - 3. More quality data elements may be included in the future
 - ii. Health Reform (impact on ESRD)
 - 1. Quality will be a key component
 - 2. Integrated care is the future
 - a. Accountable Care Organization (ESRD community with providers, physicians, and hospitals could be a good example of an ACO)
 - 3. Health Insurance Exchange
 - a. More coverage
 - b. Earlier detection
 - iii. CROWNWeb
 - 1. CMS will release a time-line for CROWNWeb in the coming weeks
 - 2. A new term "Batch Submitting Organization" was mentioned as a future possibility within CROWNWeb. Not defined in detail at the meeting. We should know more in the near future

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(3) GAO has been charged to conduct a one year study on inclusion of oral medications in the ESRD PPS.

a. GAO has begun contacting associations and providers to discuss this study

- **ESRD NETWORK REPORT**

Harriet Edwards reported that there will be more projects that the Networks will be involved in and are awaiting final details from CMS. Complaints and grievances will be a large part of the Network's future scope of work. Network 18 and a coalition are getting together to hold an emergency preparedness seminar on October 21st; a save-the-date flyer has been faxed to all facilities. Rumors still surround the specifics regarding the actual implementation of CROWNWeb, but the Network will notify the facilities as soon as information becomes available.

- **MEDICARE REPORT**

Misha Palecek introduced Maureen Dolan from DaVita, one of their reimbursement experts. Maureen reported on a glitch that currently exists with the PAYKO system whereby if you are a large provider and waiting for a number of chows or tie-in notices you can only have one record open for any given tax id number. CMS has given no indication as to when this glitch may be corrected. DaVita is currently reviewing all of the Medicare Administrator Contractors (MACs) for consistency of claims processing. A few inconsistencies have been identified and addressed successfully with CMS. Maureen addressed the concern as to what effect the new bundled payment system may have on secondary payments from Medi-Cal. Once the final rule is published it is anticipated that CMS will provide some guidance to the states.

- **MEDI-CAL REPORT**

Mike Arnold addressed the issue of the 1115 Waiver. Related materials were previously distributed to the Board. This program will move the Seniors and Persons with Disabilities (SPD) population into managed care models. Mike suggested that members should forward the materials to the individual in their organization that handles managed care for consideration, as this implementation will be taking place over the next several months.

- **PROGRAM REPORT**

Dr. Peter Crooks reminded everyone that next year's conference will be from April 14th to 16th at the Palm Springs Renaissance Hotel.

- **NEXT BOARD MEETING**

August 20, 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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