



# CDC Report

January 20, 2012

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Board Meeting ~ Oakland

Below is a brief report from the California Dialysis Council's Board Meeting held in Oakland on January 20, 2012. For **CURRENT NEWS** regarding the ESRD community, please visit our web site news page [for more information...](#)

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## Legislative Report

Michael Arnold

Michael Arnold delivered the legislative report.

This is the second year of a two year Session. New bills are being introduced to be considered in 2012 as well as the remaining bills from the prior year (two-year bills). There do not seem to be any issues of concern in the remaining two-year bills. The Legislature seems to be distracted; elections are in November, redistricting and top two primary system will be implemented (i.e. in a heavy Republican district, two Republicans could run against each other). The budget continues to be the top concern. According to the Governor, the deficit is \$9.2 B. The nonpartisan Legislative Analyst's Office believes it is greater, approximately \$13 B. The May Budget Revision will be based on a more accurate picture. Meanwhile, the Governor is hoping to get the propositions for a 0.5% sales tax increase and three new tax brackets on those with annual income greater than \$250,000. It is believed that income in California is increasing and if the taxes pass, then we may grow out of the deficit in two years. There will be much discussion regarding these scenarios.

Michael reviewed the Legislative Status Report and said close attention should be paid to the following bills: AB1453 will be watched closely and CDC will attempt to work with the Healthcare Exchange over the next two years. AB 1461 and AB 1463 are budget bills. AB 1512 is a "spot bill" holding a place for additional language for the Medi-Cal program. SB 41 is a two-year bill that concerns hypodermic needles but should be dead for the year unless reintroduced. SB 7 was introduced by Senator Steinberg on behalf of the administration. Last year the bill authorized four Pilot Projects in four counties (County Organized System and one two-plan model county – to enroll dual eligibles to MCMC). SB 7 now seeks to increase pilot projects from four to 10 counties. The Governor wants all counties to transition their population.

### Our Corporate Partners



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## Legislative Report

*Continued...*

Legislative Day in Sacramento is scheduled for 3/14/12, which is good timing to talk to legislators.

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

[http://www.californiadialysis.org/legislative\\_status.html](http://www.californiadialysis.org/legislative_status.html).

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

### *Medi-Cal Managed Care:*

Michael Arnold recommended that a proposed bill be introduced to allow a delay in enrollment for ESRD patients. This proposal was reviewed with the Board in detail. CMS is not sure all populations should transition to MCMC and ESRD is one of these. The progress of this will be important to monitor. After duly motioned and seconded, the Board approved the motion for Michael Arnold to present the draft legislation to the Legislative Council for their comments.

### *Medi-Cal Reduction:*

As discussed previously, the 10% payment reduction has been challenged in the courts. Several lawsuits have been filed and a southern California judge has issued an injunction. A broader case filed by the CMA will be heard by the same judge on 1/30/12 and another injunction will likely be issued. It is unknown if the injunction will apply only to the plaintiff or more widely. It has been indicated that the cuts will not begin until the cases have been heard. Michael asked to be notified if providers have seen evidence of the cuts. Since the cuts are retroactive to July 1, 2011, the department will make a calculation of what is due to Medi-Cal in overpayments. When the cut is implemented, Medi-Cal will take 5% of the overpayment and subtract from the current payment due. This will be repeated until Medi-Cal has recouped the overpayments.

### *California Insurance Exchange:*

Jeremy Van Haselen stated that KCP/KCC will be submitting comments regarding the Essential Health Benefits issue which has been punted to the states to decide. Comments are due 1/31/12. The CA Exchange has also asked for comments. It is recommended that CDC submit comments to the CA Exchange once the KCP/KCC comments are finalized.

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*In Memory of Peter Quaife*

*Dec 1943 ~ June 2010*

*Kidney Patient/Cartoonist*

## PCT Exam Report

*Andrea Messina*

Andrea Messina reported that 57 exams were administered on January 19, 2012. The majority of participants were not currently employed. Debra Punch discussed that April mark the third year of the exam and that it is time to revise it. She has identified volunteers to assist with this task. The plan is to drop 25 questions and replace those with updated questions. The goal is to have this completed by June so that the new questions can be validated by UCLA and it is hoped that the new test will be rolled out in September. No further communication has been received from Steven Reed of the CDPH, but CDC will continue to stay abreast what is happening at the department. It was mentioned that a dialysis clinic seeking to get approval for a PCT training program was told by CDPH that the regulations were in process of being revised so approval would not be issued at this time. Michael Arnold has requested more details on this case.

A reminder that the FAQ section of the web site reflects the current requirements for California PCT certification. Visit the CDC web site at: [http://www.californiadialysis.org/CHT\\_FAQ.html](http://www.californiadialysis.org/CHT_FAQ.html)

## 30<sup>th</sup> Annual Educational Conference

Registration is now available for our 30<sup>th</sup> Annual Educational Conference. The Program Committee has developed an exciting schedule with top notch presenters. Join us April 12-14, 2012 in beautiful Palm Springs. Visit the CDC website for registration and conference details:

[http://www.californiadialysis.org/annual\\_conference.html](http://www.californiadialysis.org/annual_conference.html)

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### Next Board Meeting

February 17, 2012 ~ Los Angeles

**Open to Members and Guests**

For more information, on-line registration and hard copy registration forms, please visit our web site at: [www.californiadialysis.org](http://www.californiadialysis.org)