

GOVERNOR'S ANNUAL REPORT

2025

MARYLAND COMMISSION ON KIDNEY DISEASE and TRANSPLANTATION

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Alice Pun, RN, MSN, CDN, Health Facilities Surveyor

Leslie Schulman, Assistant Attorney General, Commission Counsel

MARYLAND COMMISSION ON KIDNEY DISEASE
REPORT TO THE GOVERNOR

January 1, 2025 – December 31, 2025

“The Commission shall adopt physical and medical standards for the operation of dialysis and renal transplant centers...”

“The Commission shall adopt reasonable medical standards for acceptance of patients into the treatment phase of the Program...”

“The Commission shall annually evaluate the entire Kidney Disease Program. An annual report of such evaluation shall be made to the Governor...”

“The Commission shall survey periodically dialysis and transplant facilities...”

“The Commission shall evaluate patient complaints, including cases of verbally and physically abusive patients...”

“The Commission shall collect an annual certification fee from the facilities in order to meet its mandated responsibilities...”

Annotated Code of Maryland
Health-General Article, Title 13, Subtitle 3 and Title 16, Subtitle 2

MEMBERSHIP

Sumeska Thavarajah, M.D. – Chairman

Sonal Korgaonkar, M.D. -Vice- Chairman

Adam Berliner, M.D.

Donna Hanes, M.D.

Nadiesda Costa, M.D.

Tisha Guthrie, LMSW

Jacqueline Hires, LCSW, NSW-C

Jerome Chiat

Arul Vigg, M.D.

Susan Leon, R.N., term services ended 10/1/2025

Olawanle Turton, R.N., effective 10/1/2025

Andrene Townsend, R.N., resigned voluntarily 4/24/2025

STAFF

During the calendar year 2025, Eva H. Schwartz, M.S., M.T. (ASCP) SBB held the position of Executive Director of the Commission. Leslie Schulman, AAG, served as Counsel to the Commission. Alice Pun, R.N., MSN, CDN served as the Health Facilities Nurse Surveyor of the dialysis and transplant centers. The website manager is Oladunni Akinpelu, Boards and Commission IT specialist.

COMMISSION MEETINGS

The Commission met virtually in January 2025, April 2025, and July 2025, October 2025 complying with regulatory mandates.

PHYSICAL AND MEDICAL STANDARDS COMMITTEE

The Physical and Medical Standards Committee reviews on-site inspections, and approves facilities requesting certification by the Commission on Kidney Disease for reimbursement purposes by the Kidney Disease Program of Maryland (KDP). The Committee is responsible for research, recommendation and presentation of physical and medical issues affecting the renal community and investigation of patient complaints in an expeditious manner. The recommendations for complaint resolution cases are then voted on by the full Commission and appropriate corrective action is implemented and enforced. **If necessary, a facility will be resurveyed because of non-compliance with their own submitted Plan of Correction (POC).**

Additional responsibilities of the Commission are to conduct on-site surveys of the dialysis and transplant facilities throughout the State of Maryland. The Commission surveys the dialysis and transplant facilities to meet the regulatory standards as promulgated by the Commission. An annual certification fee collected by the Commission is an additional requirement of the facilities for certification with the Commission and eligibility for reimbursement from the KDP. Enclosed is the roster of all certified dialysis and transplant centers in Maryland. This informational roster is available upon request from the Commission, and is posted on the Commission's website: health.maryland.gov/mdckd.

COMMISSION ACCOMPLISHMENTS

- The Commission investigated and resolved complaints between patients and facilities. The Commission surveyed seventy-nine (79) facilities for compliance with standards of care, and addressed all corrective action plans that emerged from such surveys. Additionally, surveys are scheduled based on need related to compliance of the facilities and transplant centers with submitted corrective plans and in response to patient complaints.
- The Commission reserves the right to schedule surveys to administer and manage the program as statutorily mandated and according to budgetary allowances and available funds.

The Commission maintains an active and up to date website (health.maryland.gov/mdckd) for the latest information in the chronic kidney disease field and transplantation, as well as references the Commission's activities in the community through educational sources and accomplishments.

- In the calendar year 2025, the Commission surveyed seventy-nine (79) dialysis facilities including the requirement for compliance through the Plan of Correction (POC); all Federal and State regulations were enforced by the Commission, thus the Commission has met its mandate. By enforcing compliance with State, Federal and Commission regulations, the quality of care rendered to the End Stage Kidney Disease (ESKD) population in the state of Maryland was enhanced and its citizenry protected.
- The Commission continues to work with the Office of Healthcare Quality (OHCQ) to foster communication between the two entities. The collaborative relationship between the Commission and OHCQ enables both entities timely responses to complaints relating directly to patients and facility events, and therefore patients' welfare and safety is addressed through immediate intervention.
- Commission representatives participated in the Quality Insights meetings presented by the Mid-Atlantic Federal Network 5 (Network) quarterly teleconferences. The teleconferences provide a forum for Network staff to foster communication with the Commission and the OHCQ, to discuss any facility issues and provide updates on Network projects. The Network is involved in an educational process concerning Involuntary Patient Discharges (IVD) from dialysis facilities.
- The Commission provides invaluable resources to the renal community and the Maryland Department of Health (MDH), by providing patients information concerning Chronic Kidney Disease (CKD), End Stage Kidney Disease (ESKD) and transplant management. Such educational information is posted on the Commission and MDH website, respectively. The Commissioners offer a wealth of information, experience, and expertise, regarding the care and treatment of End Stage Kidney Disease patients. **The Commission membership is compromised of extremely dedication and talented volunteers.**
- The Commission reports as applicable, on legislative efforts that affect the renal community.
- **Commission meetings are forums for community education. Commissioners present educational topics at each Commission meeting.** This year's educational topics included: education on Hepatitis B and C viral transmission and the rational behind infection control practices in the dialysis setting, evaluation of impact of ESKD treatment choice model (known as ETC model) on transplant waitlist additions, progress on xenotransplantation, education on understanding of the surgical mask components and the correct way of wearing of the mask by dialysis staff and patient during care of the dialysis catheter, discussion of educational opportunities and resources available to help manage patients with mental illness, discussions about the challenges of patient returning to dialysis facilities after prolonged hospitalizations, information on challenges for providing dialysis treatment and transplant options for undocumented patients, impact to care due to dialysis staffing shortages, and recommended best practices.
- The Commission meetings offer an opportunity to educate the Renal Community, professionals, patients, and the public at large. Facilities are encouraged to participate in the meetings and present best practice scenarios. All Open Sessions are accessible via videoconference or telephonically, and the meetings' minutes are posted on the Commission's website for public consumption.
- Commission issued correspondence to the Medical Directors concerning compliance with the infection control practices in dialysis facilities as observed by the nurse surveyor.

- The Commission addressed ongoing issues surrounding dialysis facilities' discharge practices and continuity of care issues. The Commission utilized the Involuntary Discharge Packet and the process for handling and conducting investigations of complaints. The Commission works collaboratively with the Network to review Involuntary Patient Discharges, concerning these actions initiated by facility discharges.
- The Commission in collaboration with Maryland Board of Nursing continues to enforce the licensure requirements addressing the new certification of Certified Dialysis Technician (CDT) with effective date of August 4, 2025.
- In 2025, the Commission revised the regulations of C.O.M.A.R - Title 10 Subtitle 30, §13-301 to §13-316 and §16-204 which were posted on the MDCKD website.
- **The Commission continues to provide the KDP with expert medical advice, as well as the professional review and update of the KDP Pharmaceutical Formulary.**
- The Commission reviews out of State transplant center requests for KDP reimbursement as well as evaluates requests for inclusion of new medications in the KDP Pharmaceutical Formulary.
- Commission meetings provide a forum for Renal Community education regarding KDP policies and requirements.
- The Commission continues to work with local hospitals to assist with the placement of difficult patients in community dialysis facilities.
- The Commission communicates with the medical and management leadership of facilities that are cited with concerning deficiencies. The discussions serve as an educational tool and encourage enforcement of compliance with the Commission's COMAR.
- The Commission remains vigilant regarding nursing and staffing ratios in dialysis facilities. Facility representatives are educated on current staffing requirements; including the requirement of the facility's Governing Body in assuring that staffing in the facilities meet the needs of the patients. **The Commission urges facility Administrators, Medical Directors, and Governing Bodies to routinely evaluate the monitoring staffing ratios as well as the adequacy of RN staffing per shift, commensurate with the number of actively run treatment stations, in order that compromises in patients' health and safety may be avoided.**
- The Commission continues to use a new electronic payment system for Commission certification and certification renewals.
- The Commission utilizes the Govdelivery system to disseminate useful information to expand the networking opportunities to the dialysis facilities.
- The Commission updates the renal community regarding the National Kidney Foundation serving Maryland and Delaware's professional and patient education events and patient outreach activities.

PATIENT GRIEVANCES

During the calendar year of 2025, the Commission resolved five (5) written complaints addressing primarily immediate involuntary patient discharge involving abusive and threatening behaviors. Additionally, the Commission received eight (8) verbal complaints which upon review were not able to be substantiated. The Commission and staff have availed themselves to the renal community to expeditiously resolve problems arising between patients and facilities. Subsequently, the Commission has mandated improvement in the quality of care provided at the facilities cited for deficiencies and violations during the ESKD Commission Surveys. These goals were accomplished to the satisfaction of the Commission, thus protecting the safety and welfare of this vulnerable patient population.

COMMUNITY EDUCATION

The Commission has fulfilled its community education responsibilities by surveying and educating facilities according to the promulgated regulations by the Commission on Kidney Disease, COMAR 10.30.01. The Commission, public member volunteers, and patient advocates have addressed numerous groups in the renal community regarding sources for reimbursement for renal care, prevention of renal disease, transplantation criteria, and methods for reimbursement for life saving medications.

The Commission strives to be a partner and resource to the dialysis and transplant community to provide the best care for dialysis patients. Beyond identifying deficiencies on survey, the Commission aims to provide a pathway for long term changes. Reviewing frequently cited areas on surveys, the Commission held a Renal Educational Meeting (known as the Renal Summit) at the Johns Hopkins Bayview Medical Center on 3/9/2025 in collaboration with the Baltimore Chapter of the American Nurses Association (ANNA). Attendees were awarded 7.5 CEUs for the session. The Renal Summit was an education seminar open to renal community members interested in learning the most updated standards and best practices for dialysis management. The following topics were reviewed.

- Hepatitis B in the Dialysis Unit
- Ensuring Excellence: The Dialysis Facility Survey Process
- Patient Engagement
- Involuntary Discharge Strategies
- Water Treatment Fundamentals
- Fluid Fundamentals with Demonstration
- Understanding Motivational Interviewing
- Why Home: Home Panel Discussion

Attendees provided positive feedback regarding the content and need for such events.

STATUS OF THE KIDNEY DISEASE PROGRAM

The purpose of the Kidney Disease Program (KDP) is to provide financial assistance to certified beneficiaries for the treatment of ESKD (end stage kidney disease). This stage of renal disease is irreversible and requires dialysis or kidney transplantation to maintain life. As a payer of last resort, the Program may provide financial assistance only after all other medical and federal insurance coverage has been pursued. Covered services include chronic maintenance, in-center and home dialysis, renal transplantation, approved in-patient and/or outpatient hospital care,

physician and laboratory fees, medications specified on the KDP Reimbursable Drug List and certain ancillary services which are directly attributable to the beneficiaries' ESKD.

PROGRAM STATISTICS

In Fiscal Year, 2025, the Kidney Disease Program provided coverage to approximately 1,061 beneficiaries. KDP net expenditures for FY 2025 totaled \$ 3,887,269. KDP recovered \$ 257,669 in premiums and \$ 244,817 in provider refunds. Drug Rebate Recoveries totaled \$ 340,938 in FY 2025. These recoveries are projected annually and are incorporated into the Program's reimbursement budget.

FISCAL YEAR 2025 ACCOMPLISHMENTS

The Kidney Disease Program (KDP) enhanced the Program's website with information and updates related to the Program. The address of this website is: <https://health.maryland.gov/pha/Pages/maryland-kidney-disease-program.aspx>

This website includes helpful information, such as: KDP notices of updates/changes, information resources, web links, phone numbers, e-mail address for questions about KDP, billing instructions, KDP COMAR regulations and the KDP drug formulary.

This website will undergo continuing development in an effort to provide the renal community with the most up to date information available with regard to the Kidney Disease Program. The KDP Brochure has also been updated. The brochure may be viewed at <https://health.maryland.gov/pha/Documents/KDPBrochure%2010312018.pdf> Enhancements and system developments to the KDP electronic claims management system (eCMS) and the Conduent pharmacy point-of-sale system (POS) continue in an effort to provide more efficient and timelier processing of claims. These systems continue to allow KDP to accept and return HIPAA compliant transactions from Medicare trading partners and all participating providers.

ESKD providers of service continue to be granted access to the KDP Portal. User agreements must be submitted online through the updated portal. Approval of user agreements has improved to a 48 hour or less processing window. To gain access to the current KDP Provider Portal, users must utilize their username and password to log into <https://mdkdp.my.site.com/provider/s/>. The KDP portal allows providers to verify claims' status and view detailed payment information, which includes check numbers, check dates and voucher numbers. This information assists providers in maintaining an accurate and up to date accounts receivable system and minimizes duplicate billing. In addition, providers of service may access up to date eligibility information for all ESKD patients certified with the Kidney Disease Program of MD. Any problems related to the provider portal should be addressed to crmsd@mdthink.maryland.gov

The Kidney Disease Program is successfully transmitting a KDP recipient eligibility file, resource file and COB Connect document to HMS (Health Management Services) monthly to gather patients' third-party insurance information to maximize collection efforts and ensure that KDP is the payer of last resort. KDP is working with HMS under a new contract, to continue maximizing the State's collection efforts and ensure cost effectiveness among all MDH programs.

KDP has transitioned to working with MDThink to implement a new workflow automation system using the Salesforce platform. This platform will include a Patient Enrollment and Case Management system, Recovery and Recoupment capabilities, Premium Management system,

Online Provider and Patient Portals and additional functionalities. The Salesforce operational system is scheduled to go live July 1, 2025, FY 2026.

KDP, along with MD Medicaid, BCCDT and MADAP, has a contract with Conduent for a pharmacy point-of-sale electronic claims management system (POSECMS). The latest contract went into effect October 31, 2022. This enhanced system provides updates and adds compliance to the existing pharmacy point-of-sale claims processing system.

KDP, along with BCCDT and CMS, extended the Santeon contract, the current KDP electronic claims processing (eCMS) vendor, to June 30, 2025, to continue the KDP claims functioning processes, financial payments and recoveries, in addition to reporting requirements.

Customer service in the areas of patient certification, accounts payable and accounts receivable continue to improve. KDP personnel strive to assist KDP recipients, in processing applications as quickly and efficiently as possible, adjudicating claims in a timely manner, assist with explaining the calculation and billing of program participation fees, and providing guidance to members of the renal community to assist them in receiving the most accurate information possible. Training occurs with Free Standing Dialysis Unit (FSDU) social workers and Senior Health Insurance Program (SHIP) personnel to educate the ESKD personnel and community in the KDP patient certification process, advise those personnel of KDP, Medicare and Medicaid regulations, and address frequent problems and concerns occurring with those processes.

PROJECTIONS FOR THE KIDNEY DISEASE PROGRAM

The Kidney Disease Program continues to work with our contractors, Santeon, HMS, Conduent and MDThink, in addition to data processing analysts and programmers, to ensure compliance with State and Federal mandated requirements. KDP will move from Santeon to the Salesforce platform on July 1, 2025, FY 2026. The Kidney Disease Program will strive to deliver the best services possible to ensure that each KDP recipient continues to receive quality medical care and efficient customer service from KDP staff. KDP will continue to work with its colleagues in defining the best possible route to obtaining and developing a new KDP electronic claims processing system and completing the development of the Patient Enrollment, Case Management and Premium Management systems. In addition, the Kidney Disease Program will continue to work with the Commission on Kidney Disease to provide quality service and education to end stage kidney disease (ESKD) patients in the State of Maryland and ESKD community.