

MARYLAND COMMISSION ON KIDNEY DISEASE

Thursday April 25, 2019

4201 Patterson Avenue

PUBLIC MINUTES

The Public Meeting of the Commission on Kidney Disease was held on Thursday, April 25, 2019 at 4201 Patterson Avenue. Chairman, Dr. Donna Hanes called the meeting to order at 2:06 P.M. Commissioners Dr. Jeremy Yospin, Dr. Sonal Korgaonkar, Susan Leon, RN, Dr. Nadiesda Costa, Dr. Sumeska Thavarajah, Dr. William Rayfield, Denise Collins, LCSW-C, Raymond Harris, Tisha Guthrie were also present.

Commission staff present: Eva Schwartz, Executive Director and Donna Adcock, RN, Surveyor

Commission Counsel present: Leslie Schulman, AAG

Maryland Department of Health (MDH) staff present: Barbara Fagan, Office of Health Care Quality (OHCQ) Program Manager; Kim Lang, Associate Director of Health Occupation Boards and Commissions; and Carol Manning, Chief of the Kidney Disease Program (KDP).

Guests present were:

Kim Sylvester, IDF

Heather Weirich, IDF

Kelly Morgan

Pam Earll, Davita

Ben Viray, Davita

Samantha Larkin, JHH

I. RATIFY APPROVAL OF THE MINUTES OF THE PUBLIC SESSION OF

January 24, 2019

Commissioner Yospin motioned to ratify the approval of the Public Minutes from the January 24, 2019 session. Commissioner Costa seconded the motion and the Commission voted unanimously, with one abstention to ratify the approval of the Minutes of the January 24, 2019 Public Session.

II. CHAIRMAN'S REPORT

Dr. Hanes welcomed new Commissioner, Dr. Sonal Korgaonkar and the guests to the meeting.

Dr. Hanes presented "Will UFR Limits Improve Outcomes?" Dr. Hanes reported that in January 2020 CMS will incorporate limits on ultrafiltration rates (UFR) for patient treatments into the ESRD Quality Incentive Program. She noted that fluid removal of greater than 13ml/kg/hr is linked to increased patient mortality rates. Dr. Hanes encouraged practitioners to consider the following to improve patient outcomes related to fluid removal: extend the 1st session of the week, shift loading (dialyzing patients with longer treatment times on the first shift), avoid attempting to achieve target weights on the 1st run of the week, propose utilizing BSA (Body Surface Area) rather than weight based targets so as not to worsen malnutrition in lighter patients, cool dialysate, continue loop diuretics, frequent dry weight adjustments and patient engagement.

Discussion ensued.

III. EXECUTIVE DIRECTOR'S REPORT

Mrs. Schwartz welcomed everyone to the meeting. She reported that Ms. Joan Wise has resigned her position (renal administrator) on the Commission and that the Governor's Office of Appointments was working to fill the position as well as Dr. Rayfield's position (consumer) as he has served the maximum of 8 years. She thanked them both for their service and encouraged interested person's to apply online.

Mrs. Schwartz discussed facility deficiencies including repetitive violations including staffing. She noted concern for patient safety and encouraged facilities to work with their teams to improve facility staffing.

Mrs. Schwartz also noted the Commission's desire to provide an educational symposium this year. Discussion ensued. The Commissioners expressed interest in educating facility Medical Directors in their roles in dialysis facilities. Dr. Thavarajah will chair the planning committee and provide an update at the next Public Session.

IV. OLD BUSINESS

- **Enrolled Commission Bill**

Mrs. Schwarz reported that the Commission's proposed legislation passed this year with revisions. The Senate Bill 796 will allow members serving on the Commission to have no more than 30% direct ownership in a dialysis facility or transplant center. Commissioners having any interest in facilities would recuse themselves in discussions and in voting on matters pertaining to facilities in which they have a proprietary interest. All Commissioners are required to file financial disclosure documentation with the State Ethics Commission. The bill also decreases the number of names required to be submitted to the Governor's Office of Appointments for nomination of a Commission vacancy from 3 names to at least 2 names. She noted that these changes will expand the pool of potential Commissioners and make it easier to fill positions.

VI. NEW BUSINESS

A. Kidney Disease Program (KDP) - Carol Manning

- **Stats and Budget**

Ms. Manning presented the KDP budget and statistics. She noted that for the first time the KDP budget may fall short. Mrs. Manning reported that currently there is no backlog in paying claims and that she did not see any denial of claims. She stated that the Department of Finance was exploring options to supplement the budget.

- **Request to approve ICD – 10 Code I13.2 for KDP reimbursement**

Commissioner Yospin motioned to ratify the approval of the ICD-10 code I13.2 for KDP reimbursement. The code's definition is: Hypertensive heart and chronic kidney disease with heart failure with stage 5 chronic kidney disease/ESRD. The code would apply to dialysis and transplant patients. Commissioner Thavarajah seconded the motion and the Commission voted unanimously to ratify the approval.

Late addition – Request to approve ICD – 10 Code Z40901 for KDP reimbursement

Ms. Manning reported that the KDP has received a request for payment for this diagnosis code. The code's definition is: Encounter for fitting and adjustment of extracorporeal dialysis catheter. The code would apply to dialysis and transplant patients. Commissioner Yospin motioned to approve KDP payment for the code, Commissioner Thavarajah seconded the motion and the Commission voted unanimously to approve the code for KDP payment.

B. Prescription Drug Monitoring Program (PDMP) Videos for Prescribers

Mrs. Schwartz reported that the Commissioners received information from the Maryland Department of Health regarding prescribing Schedule II-V Controlled Dangerous Substances. The information included four educational videos and promotes safe and effective use of prescription drugs. The information will be posted on the Commission's website.

C. Commission Newsletter

Mrs. Adcock presented the draft newsletter to the Commissioners. She reviewed changes including the addition of Dr. Costa to the Commission members' column as well as spelling changes and changes to Network 5's name from MARC to Quality Insights Network 5. Dr. Yospin motioned to approve the Newsletter for dissemination including posting on the Commission's website, Commissioner Leon seconded the motion and the Commission voted unanimously to approve the Newsletter as modified by the impending changes.

D. Citation Free Surveys

Dr. Hanes congratulated the following facilities for achieving citation free surveys:

- FMC Nashua
- Davita Middlebrook
- Davita Carroll County
- FMC Greenspring
- Davita Washington County

E. Categories of Complaints

Dr. Hanes reported the Commission has received and resolved the following complaints since the January 2019 Commission meeting:

Written:

- Facility requests to involuntarily discharge patients (2)

Verbal:

- Patient complaint regarding facility heat
- Patent complaint regarding facility supply of dialysate bath

F. Commission Approval/Disapproval for KDP Out of State Transplant Reimbursement

Dr. Hanes noted that the Commission has received and approved the following out of state transplant prior approvals for KDP reimbursement purposes:

Hospital	Granted	Refused
MedStar Georgetown Transplant Center	5	0
Inova Fairfax Transplant Center	1	0

G. Surveys

Citations

Dates	April 2019	Jan 2019	October 2018	July 2018
Compliance with Federal, State and Local Laws and Regulations	0	0	0	0
Infection Control	16	14	13	15
Water and Dialysate Quality	6	7	12	6
Physical Environment	2	7	7	2
Patient Rights	1	0	0	0
Patient Assessment	2	1	1	2
Patient Plans of Care	6	3	6	6
Care at Home	0	0	0	0
Quality Assessment and Performance Improvement	0	1	1	0
Laboratory/Affiliation Guidelines	0	0	0	0
Personnel Qualifications/Staffing	12	11	12	12
Responsibilities of the Medical Director	0	0	0 (cited under Governing Body)	0
Medical Records	2	2	2	1
Governance	2	4	8	2

Dr. Hanes reported that the Commission surveyor surveyed 23 facilities since the January 2019 meeting. The categories and total number of citations are reported and trended for informational purposes. Infection Control and Personnel Qualifications/Staffing continue to be the most consistently cited categories with some improvement in the Water and Dialysate Quality category.

Former Commissioner, Kim Sylvester recommended that for purposes of improving infection control practices that facilities should provide patients and staff with educational information from the CDC's website for infection control.

H. Surveys Completed

The following 23 facilities have been surveyed since the January 2019 meeting:

IDF Parkview	NxStage Greenbelt
FMC Fleet Street	FMC Washington
Davita Seton Drive	Davita Bowie
FMC Odenton	FMC Nashua
Davita Middlebrook	Davita Carroll County
FMC Greater Baltimore	Davit Catonsville North
Davita Rockville	FMC Caroline
FMC Ft. Washington	FMC Greenspring
Davita Chestertown	FMC Broadway
Davita Eastern Blvd.	Davita Washington County (PD)
ARA Universal	FMC Brightseat
FMC Merritt Blvd.	

Mrs. Schwartz announced that Commissioner Collin's year term will end on June 30, 2019 and that this would be her last Commission meeting. Ms. Schwartz and the Chairman thanked Ms. Collins for her service to the Commission. Mrs. Schwartz reported that the Council of Nephrology Social Workers has submitted recommendations to the appointments office for replacement.

The Chair asked the Commissioners to review the transplant link on the website and to have the guidelines updated.

Commissioner Guthrie directed everyone's attention to the GAP report, a shortage of affordable homes. She noted that everyone should be aware of budget cuts that would affect affordable housing.

There being no further public business, upon motion made by Commissioner Yospin and seconded by Commissioner Korgaonkar, the Commission unanimously voted to adjourn the Public Session at 3:25 P.M.