

# MARYLAND COMMISSION ON KIDNEY DISEASE

Thursday October 26, 2017

4201 Patterson Avenue

## PUBLIC MEETING MINUTES

The Public Meeting of the Commission on Kidney Disease was held on Thursday, October 26, 2017 at 4201 Patterson Avenue. Interim Chairman, Dr. Jeremy Yospin called the meeting to order at 2:10 P.M. Commissioners' Dr. Donna Hanes, Dr. Paul Segal, Dr. Nadiesda Costa, Dr. Adam Berliner, Dr. Sumeska Thavarajah, Susan Leon, RN and Henita Schiff were also present.

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

Commission Counsel present: Leslie Schulman, AAG

MDH staff present: Carol Manning, Chief, KDP

### Guests present were:

Pam Earll, Davita

Jessica Quintilian, NKF

Monica Mentzer, MBON

Heather Weirich, IDF

Kristen Neville, MDH

Gloria Pittman, ARA

Dr. Edward Kraus, JHH

Joanne Seoder, Davita

Ray Harris, Consumer

Jill Callan, MBON

Sharon Bloom, MDH

Andrene Townsend, Holy Cross

Dr. Luis Gimenez, JHU

### Election of Commission Officers

Mrs. Schwartz reported that the Commission will elect officers. She noted that historically the officers were nominated. Ms. Schwartz stated that annual Commission Officer elections would increase the Commissioners' opportunity to serve as an officer. She reminded the Commissioners that they do not represent their affiliations and must recuse themselves if there are any conflicts of interest. Mrs. Schwartz discussed Commissioner responsibilities and time commitments.

Dr. Hanes requested that her name be withdrawn from the ballot for this year.

The Commission members elected, via ballot, Dr. Yospin as Chairman and Dr. Segal as Vice Chairman.

### I. RATIFY APPROVAL OF THE MINUTES OF THE PUBLIC SESSION OF July 27, 2017

Mrs. Adcock reported that in order to post the Commission meeting minutes to the website in a timelier manner, the Commissioners voted via email after the July 27<sup>th</sup> meeting to approve the meeting minutes.

Dr. Hanes motioned to ratify the approval the Public Minutes from the July 27, 2017 session.

Dr. Costa seconded the motion and the Commission voted unanimously to approve the Minutes of the July 27, 2017 Public Session.

### II. CHAIRMAN'S REPORT

Dr. Yospin reported that in light of survey findings he would like the community to focus on infection control practices. He noted that there are opportunities to improve and do a better job for the patients.

### **III. EXECUTIVE DIRECTOR'S REPORT**

Mrs. Schwartz welcomed everyone to the meeting. She remembered Reverend Barry Hargrove who was a Commissioner and active member and advocate for the renal community. Reverend Hargrove passed away this month.

Mrs. Schwarz stated that the Commission would add Commission Regulations and Policies Regarding the Unauthorized Discharge of a Patient to the meeting agenda.

Mrs. Schwartz reported that beginning in January of 2018 the Commission will issue certificates of merit for facilities that achieve a citation free survey. The Commission will also issue a frameable certificate to certified facilities with the annual renewal.

Mrs. Schwartz discussed the importance of facility sustainability of compliance with the submitted plans of correction.

### **IV. OLD BUSINESS**

- **Discussion Regarding Assessment of Need for Revision of Reporting of Survey Findings**

Dr. Thavarajah discussed the Commission's concern that not all citations are equal. She noted that the Commission has begun to address the serious concerns in the survey letter including directing areas of the facility's plan of correction. She noted that this is an ongoing discussion and the survey reports should reflect the gravity of findings.

### **V. NEW BUSINESS**

#### **A. Kidney Disease Program - Carol Manning**

- **Stats and Budget**

Ms. Manning reviewed the Fiscal Year 2018 KDP budget and statistics.

#### **B. Late Addition - Commission Regulations and Policies Related to Unauthorized Discharges of a Patient**

Ms. Schulman discussed the existing regulations regarding involuntary discharge of a patient. (COMAR 10.30.01.05C. She noted that involuntary discharges should always be the facility's last resort. Facilities are required to work with the patient and should involve the social worker to address concerns. Facilities should attempt to place patients in another facility. She noted that Commissioners may approve or deny requests for discharge.

Mrs. Schwartz and Dr. Yospin reported on the importance of the safety of facility patients and staff. Ms. Schwartz noted that the facility must maintain strong documentation including interventions to support any involuntary discharge. Commissioners rely on facility documentation to make informed decisions. The Commission has never denied requests to discharge patients who pose serious threats.

#### **C. Maryland Board of Nursing Requirements for CNA-DT Course Instructors and Responsibilities – Jill Callan, RN, MBON Nurse Program Consultant**

Ms. Callan clarified the MBON's requirement for CNA-DT instructors. She noted that the clinical portion of the training could be performed by an RN that may not have the required 16 hour instruction in the principles of adult education or have two years of teaching experience. Ms. Callan reported that she is able to quickly review submissions to approve RN instructors. She noted that other professionals could teach selected portions of the curriculum that relate to their area of expertise.

#### **D. Healthcare Preparedness Program/Contacts**

Mrs. Adcock directed everyone's attention to the attachment. She noted that the information was provided by Corinne Edds who is a coordinator at the Office of Preparedness and Response. The contacts may be useful to facilities as they plan to implement the new CMS Emergency Preparedness requirements.

#### E. New Board/Commission Member Orientation – December 4<sup>th</sup>

Mrs. Adcock reported that new Commission members are encouraged to attend the meeting. Drs. Costa and Berliner noted that they have not received the invitation to the orientation. Ms. Neville reported on the meeting place and time. She noted that the meeting would be a little different this year. Mrs. Schwartz stated that she would send the invitation to all commission members.

#### F. 2018 Commission Meeting Dates

Dr. Yospin reported the dates for next year's meetings.

- January 25, May 3, July 26 and October 25

#### G. Citation Free Surveys

Dr. Yospin acknowledged the listed facilities and congratulated them for achieving citation free surveys.

1. Davita Eastern Blvd.
2. Davita Washington County
3. USRC Prince Frederick

#### H. Categories of Complaints

Dr. Yospin stated that the Commission has received the following types of complaints this quarter:

- **Written**
  - Facility request to discharge patient
- **Verbal**
  - Patient complaint regarding facility's pharmacy program
  - Hospital complaint regarding patient placement issue
  - Anonymous complaint regarding acute services
  - Patient complaint regarding dialyzer order

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

Dr. Yospin noted that since the last meeting, the following hospital has requested and been granted out of state transplant approvals:

Hospital	Granted	Refused
MedStar Georgetown Transplant Center	5	0

#### J. Surveys (24)

#### Citations

Compliance with Federal, State and Local Laws and Regulations	0
Infection Control	17
Water and Dialysate Quality	12
Physical Environment	1
Patient Rights	0
Patient Assessment	0
Patient Plans of Care	2
Care at Home	0
Quality Assessment and Performance Improvement	0
Laboratory/Affiliation Guidelines	1
Personnel Qualifications/Staffing	13
Responsibilities of the Medical Director	0
Medical Records	2
Governance	4

For informational purposes, the Commission shared the results of their Survey Findings Deficiency Report for the past quarter. Dr. Yospin noted that Infection Control, Water and Dialysate Quality and Personnel Qualifications/Staffing citations continue to be major issues and facilities should focus efforts improve outcomes in these areas.

**K.Surveys Completed (24)**

The following facilities have been surveyed since the last meeting:

Davita Rockville	FMC Greater Baltimore
Davita Carroll County	FMC Hyattsville
FMC Caroline Street	FMC Greenspring Drive
FMC Brightseat	Davita Chestertown
FMC Broadway	FMC Anne Arundel
FMC Merritt Blvd.	FMC Camp Springs
Davita Eastern Blvd.	Davita Washington County PD
ARA Universal	FMC Pikesville
Davita PG South	FMC Orleans
USRC New Carrollton	FMC Baltimore
USRC Prince Frederick	Davita Mercy
FMC Hagerstown	FMC Robinwood

There being no further public business, upon motion made by Commissioner Hanes and seconded by Commissioner Berliner, the Commission unanimously voted to adjourn the Public Session at 3:07 P.M