

MARYLAND COMMISSION ON KIDNEY DISEASE
Thursday July 27, 2017
4201 Patterson Avenue
Room 110

PUBLIC MEETING MINUTES

The Public Meeting of the Commission on Kidney Disease was held on Thursday, July 27, 2017 at 4201 Patterson Avenue. Chairman, Dr. Bernard Jaar called the meeting to order at 2:10 P.M. Commissioners' Dr. Jeremy Yospin, Dr. Donna Hanes, Dr. Paul Segal, Dr. William Rayfield, Dr. Edward Kraus, Dr. Sumeska Thavarajah, Denise Collins, Barry Hargrove, Susan Leon, RN and Joan Wise, RN were also present.

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

Commission Counsel present: Brett Felter, AAG

MDH staff present: Carol Manning, Chief, KDP, Barbara Fagan, OHCQ Program Manager, John Miller, RN and Brenda Petersen, RN surveyors from the Office of Health Care Quality

Guests present were:

Earnest Santmyre, WMHS
Pam Earll, Davita
Sylvia Romero, Davita
Julianna Candela, Davita
John Leyman, Davita
Towanda Maker, NxStage
Jessica Quintilian, NKF
Sharon Culbertson, FMC
Cheyenne Redd, MBON
Jill Callan, MBON

Lula Heatley, NxStage
Chris Simon, IDF
Cathy Negley, Davita
Richard Tabuteau, Davita
Andy Crish, Davita
Tracey Mooney, IDF/MRAA
Kelly Weaver, FMC
Kristen Neville, MDH
Monica Mentzer, MBON
Anne O'Reilly, Davita

I. REVIEW AND APPROVAL OF THE MINUTES OF THE PUBLIC SESSION OF

April 27, 2017

Ms. Wise motioned to approve the Public Minutes from the April 27, 2017 session. Dr. Hanes seconded the motion and the Commission voted unanimously to approve the Minutes of the April 27, 2017 Public Session.

II. REVIEW AND APPROVAL OF THE MINUTES OF THE CLOSED SESSION OF April 27, 2017

Dr. Kraus motioned to approve the Minutes of the Closed Session with revisions. Dr. Segal seconded the motion and the Commission voted unanimously to approve the Minutes of the April 27, 2017 Closed Session with revisions.

III. CHAIRMAN'S REPORT

• **Preparing for Emergencies - Update**

Dr. Jaar discussed the updated CMS Preparing for Emergencies document. He directed the guests to the website and encouraged the group to utilize the information for patients as we are in the midst of hurricane season.

http://www.kcercoalition.com/contentassets/1080fd75168f4d7e91f0730b6adf7ff8/cms_preparing-for-emergencies_2017update_final_508.pdf

Dr. Jaar reported that the House of Representatives recently passed a bill regarding expansion of telehealth services for home dialysis patients.

IV. EXECUTIVE DIRECTOR'S REPORT

- Ms. Schwartz reported that on July 2nd CMS' policies for cleaning the dialysis station and prefilled saline syringes became effective. She inquired how the facilities are implementing the new requirements. Discussion ensued. Ms. Fagan reported that the surveyors would begin enforcing the revised guidance on August 2nd.

- Ms. Schwartz reported that a new Open Meetings Law, effective October 1, 2017 will require a Commissioner to take the on-line course. Dr. Yospin volunteered. Ms. Schwartz will provide him with the details.

V. OLD BUSINESS

A. Discussion – Consideration of Proposing Regulations Regarding Mixed Skills Staffing

• MRAA Report

Ms. Mooney reported that after the Stakeholders meeting in June representatives from the Community met to share staffing information. She noted that it is difficult to find nurses and it takes time to train them. She reported a sincere effort and willingness to work collaboratively.

Dr. Jaar stated that the staffing regulations would not move forward at this time due to a department moratorium on regulations. Ms. Adcock and Ms. Petersen noted that there are existing regulations requiring staffing that meets the needs of the patients that would be enforced.

B. Discussion Regarding Assessment of Need for Revision of Reporting of Survey Findings

Drs. Jaar and Thavarajah reported on the progress of revising the Commission survey reporting mechanism. Dr. Jaar noted that currently all citations appear equal even if they are of differing severity levels. Dr. Thavarajah stated that assigning weight to certain deficiencies or scoring would not make sense. They reported that some findings should be corrected right away and the need for more structured plans of correction. Dr. Jaar stated that the survey reporting revisions would continue to be worked upon by the subcommittee.

C. CMS Training and Testing Requirements for the New Emergency Preparedness Final Rule

Caecilia Blondiaux from CMS' Survey and Certification office presented information on the new emergency preparedness requirements for dialysis facilities. They will become effective on 11/15/17. Discussion ensued. The guests reported that many local emergency management entities are not prepared to include the dialysis community in their plans. Ms. Blondiaux encouraged the facilities to perform the individual facility based exercise and noted that any deployment of the facility's emergency plans such as weather related closings could be counted toward the requirement if documentation exists.

The Commission will make efforts to meet with the MDH Emergency Management Office to discuss the issue and distribute information from Ms. Blondiaux to the Community.

D. MBON Clarification Regarding CNA-DT Student Preceptors

Cheyenne Redd, RN, Director of Licensure & Certification, MD Board of Nursing reported that the Commission disseminated information regarding CNA-DT training after the MBON learned that seasoned dialysis technicians were overseeing the clinical component of the training program. She reiterated that a board approved RN is responsible for the oversight. Ms. Redd noted that the board has not received any requests to approve additional RNs for training. She reported that site visits would begin in approximately 6 months. Discussion ensued. The surveyors noted that the charge nurse could not be the RN overseeing the training.

E. Follow Up – Lessons in Dialysis Conference

Dr. Thavarajah reported that the Lessons in Dialysis Conference was held 2 weeks ago. She noted that the attendance was low but the group received good feedback from the CNA-DTs that attended. Access care, hepatitis and infection control were covered at the conference. Dr. Thavarajah stated that another conference would be held in March or April of next year.

VI. NEW BUSINESS

A. Kidney Disease Program

1. Stats and Budget

Ms. Manning reviewed the KDP statistics. She reported that she did not have the FY 2018 budget but would forward the information, when available, to the Commission office.

Ms. Manning reported that the updated KDP formulary is on the KDP website which is under the Family Planning link. She is working to update the KDP brochure. Ms. Manning offered to present information on the KDP to dialysis community groups.

2. Ratify Vote to add Veltassa to the KDP

Dr. Rayfield motioned to ratify Commission's decision to add Veltassa to the KDP formulary. Dr. Hanes seconded that motion and the Commission voted unanimously to add Veltassa to the KDP formulary.

3. Request to Extend Prescription Refill Days

Ms. Manning reported on the request from University of Maryland Transplant to extend KDP prescription refill days. Currently the prescriptions must be filled within 10 days. She discussed the current Maryland Medicaid policy that allows refills of unscheduled/non-controlled medications for 120 days and refills for controlled substances for 30 days and inquired if this policy was acceptable.

Dr. Hanes motioned to approve this KDP business rule change and Dr. Jaar seconded the motion. The Commission voted unanimously to change the KDP business rule to allow 120 days to fill non-controlled prescriptions and 30 days to fill controlled prescriptions.

B. CMS Memorandums regarding Cleaning the Patient Station and Filling Saline Syringes at the Patient Station

Discussed in the Executive Director's Report.

C. Discussion of Survey Findings

1. Opened, Unlabeled Multidose Vials
2. Catheter Care
3. Concentrate Log Documentation
4. Treatment Sheet Documentation
5. Staff Skills Assessments – Concentrate Mixing and Patient Care

Ms. Adcock reported that the above items have been repeatedly cited and requested that the Community redouble their efforts in addressing the issues.

Dr. Kraus stated his concerns regarding opened, unlabeled multidose vials. He noted that in the past inappropriate use of multidose vials has been linked to Hepatitis outbreaks.

C. Change of Ownership

Dr. Jaar reported the following changes of ownership.

1. Johns Hopkins Harriet Lane acquired by FKC – renewed (5/1/17)
2. Good Samaritan/Walker Dialysis acquired by Davita (7/1/17) – currently non-renewed
3. Union Memorial Dialysis acquired by Davita (7/1/17) – currently non-renewed

Ms. Adcock reported that the Licensure/Certification representative for Davita noted that Good Samaritan/Walker Dialysis and Union Memorial would recertify with the Commission.

D. Closed/Non-Renewed Facilities

Dr. Jaar reported the closing of IDF Allegany and non-renewal of Commission certification for Kaiser Woodlawn.

1. IDF Allegany (closed in June 2017)
2. Kaiser Woodlawn (non-renewed)

E. Citation Free Survey

Dr. Jaar commented the following facility for a citation free survey:

- Davita Queen Anne

F. Categories of Complaints

The Commission has received and resolved the following types of complaints this quarter:

- **Verbal**
 - Complaints regarding Medical Assistance Transportation
 - Patient complaint regarding possible discharge from facility
 - Facility reported temporarily closing due to water quality issue
 - Complaint regarding KDP prescription policy
- **Written**
 - Facility reported temporarily closing due to water main break
 - Facilities (2) reported an involuntary discharges

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

Dr. Jaar 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	2	0

I. Surveys (22)

Citations

For informational purposes, the Commission shared the results of their Survey Findings Deficiency Report for the past quarter. Dr. Jaar noted that Infection Control, Water and Dialysate Quality and Personnel Qualifications/Staffing citations have increased since the beginning of the year.

Compliance with Federal, State and Local Laws and Regulations	0
Infection Control	16
Water and Dialysate Quality	11
Physical Environment	2
Patient Rights	0
Patient Assessment	0
Patient Plans of Care	1
Care at Home	0
Quality Assessment and Performance Improvement	0
Laboratory/Affiliation Guidelines	0
Personnel Qualifications/Staffing	14
Responsibilities of the Medical Director	0
Medical Records	2
Governance	1

J. Surveys Completed (22)

The following facilities have been surveyed since the last meeting:

Davita Harford Road
Davita Aberdeen
Davita Howard County
Davita BelAir
Davita Northwest
FMC Middle River
IDF Parkview
FMC Dundalk
FMC Washington
Davita Middlebrook
FMC Odenton

Davita Dundalk
Davita Queen Anne
Davita Southern MD
FMC Towson
FMC Rockville
Davita Seat Pleasant
Davita Bowie
Davita Seton Drive
FMC Nashua
FMC Ft. Washington
FMC Fleet Street

There being no further public business, upon motion made by Commissioner Rayfield and seconded by Commissioner Hanes, the Commission unanimously voted to adjourn the Public Session at 3:47 P.M. Immediately thereafter, Chairman Jaar convened an Administrative Session in accordance with the Open Meetings Act, Md. Code Ann., General Provisions § 3-103(a)(1)(i), for the purpose of discussing the format and internal administration of the Commission's survey reports. The Commission members present at the Public Meeting continued to participate in the Administrative Session.