

**MARYLAND COMMISSION ON KIDNEY DISEASE
OPEN SESSION MEETING MINUTES
Thursday October 26, 2006
4201 Patterson Avenue, Room 108-109**

The Open Session meeting of the Commission on Kidney Disease was held on Thursday, October 26, 2006 in Room 109, 4201 Patterson Avenue. The Chairman, Dr. Jeffrey Fink, called the meeting to order at 2:10 PM. Commission members present were: Drs. Kenneth Yim, Luis Giminez, Roland Einhorn, Jose Almario and William Frederick, RN and Mrs. Tracey Mooney, CPA. Commission staff present were: Leslie Schulman, AAG, Commission Counsel, Eva Schwartz, Executive Director and Donna Adcock, RN, Surveyor.

DHMH staff present: Carol Manning, Chief KDP, Pat Nowakowski, Dee Spanos, RN, Medicaid Operations, Barbara Fagan and Maria Krasnansky, RN, Office of Health Care Quality.

Guests present were:

Brenda Redilla, Amgen	Chris Simon, IDF
Brian Nelson, Northern Pharmacy	Marc Allegro, Good Samaritan
Judy Thomas, FMC	Rhonda Rashad, American Access Care
Debora Evans, UMMS	Bob Rauch, Amgen
Stuart Lessner, Union Memorial	Donna Vincenti, OCME
Eric Thompson, UMMS	Rose Mary Gall, JHH
Jeanni Bargett, JHH	Rhonda Witte, DHHC KDU
Kathy Reed, DHHC, KDU	Nancy Knight, FMC
Maria Mursin, SSAKC	Rashidat Taiwo, FMC
Leoline McGuire, Adventist Sr. Living	Hedy Clark, FMC
Rachel Boro, FMC	TriDonna Brandford, Davita
Melinda Rusznak, FMC	Cindy Shelley, IDF
Philip Schwartz, MD	Heidi Hayes, Davita
Karen Lambrecht, Amgen	Brenda Redilla, Amgen

I. APPROVAL OF July 27, 2006 MINUTES

The minutes were approved as submitted.

II. CHAIRMAN'S REPORT

Dr. Fink welcomed everyone to the meeting. He announced that staff from the Baltimore City Health Department and the Medical Examiners' Office would speak at the meeting about findings in autopsy cases relating to alleged exsanguination post dialysis, spanning a five year period.

Dr. Fink thanked everyone who worked on and attended the Transplant Symposium. He commented that there was a wonderful turnout and the event was a good opportunity for brainstorming and feedback.

III. EXECUTIVE DIRECTOR'S REPORT

Mrs. Schwartz thanked Dr. Fink for being the driving force behind the Transplant Symposium. She noted that it was the most successful event the Commission has sponsored. The Commission has received numerous positive emails and comments about the meeting. She also thanked the staff from the The Johns Hopkins Hospital and the University of Maryland Transplant Centers for all their work on the Symposium.

Mrs. Schwartz welcomed William Frederick, RN to the Commission. She stated that he is the Governor's appointment, being nominated by the Maryland Renal Administrators Association.

IV. NEW BUSINESS

A. Kidney Disease Program- Statistics and Budget

Ms. Manning presented and discussed the KDP Budget, Statistics, and Expenditure Reports. She noted that she will be meeting with the budget office to address changing the format of the reports for clarity. Currently the reports reflect fiscal year 2006 claims that are being paid in fiscal year 2007.

KDP vs. Medicare Part D Requirements

Mrs. Manning discussed KDP requirements stating that participants must enroll in Medicare Part D or provide documentation of credible coverage. She noted that the letter was sent to the patients and

facilities regarding this law. The open enrollment period for Medicare Part D is November 15, 2006 through December 31, 2006. The KDP requested that the Social Workers assist the patients and the KDP by submitting copies of KDP patients' Medicare Part D card, with the patient's KDP # on the card. There was a lot of discussion from the group surrounding concerns of the burden on patients, social workers and KDP regarding this new requirement.

Eric Thompson noted that many of the post-transplant patients have been calling since receiving the letter from KDP explaining the Medicare Part D requirement. He noted that this may affect of the post transplant patients.

B. CNA Scope of Practice

Mrs. Adcock reported that the Maryland Board of Nursing (MBON) was consulted regarding the practice of allowing CNA-DTs to alter the acidified bath by adding additives. The MBON ruled that RNs allowing unlicensed staff to alter the baths were in violation of their scope of practice, specifically, that the RN CANNOT not delegate that duty.

C. Transplant Liaisons

Mrs. Adcock reported that during the break out sessions during the Transplant Symposium, the HLA labs requested that the facilities supply them with the transplant liaisons' email addresses. Ms. Adcock has been collecting them to provide to the labs. It was determined during the Transplant Symposium, that email would be a quick mechanism by which the liaisons could be alerted for problems with the tissue type samples.

Mrs. Schwartz noted that the Transplant Symposium was a collaborative effort with everyone involved willing to work together in hopes of improving communication and patient outcomes.

Jeanni Bargett discussed The Johns Hopkins Hospital Transplant Center's plans to develop small focus groups to discuss ideas from the collaborative work groups. Mrs. Boro suggested using teleconferencing for the meetings. Dr. Fink suggested the Transplant Resources Center (TRC) as a facility centrally located.

Ms. Bargett provided the group with the summary from the workgroups and contact information for the Johns Hopkins Kidney/Pancreas Transplant Program. Mrs. Adcock reported that this information along with other information from the Symposium is available on the Commission's website: www.mdckd.org. She announced that another Symposium is being planned for next year.

D. Patient Advocacy Group Report

Mrs. Adcock reported that Ms. Lewis was unable to attend today's meeting but wanted to remind everyone of the Maryland Patient Advocacy's seminar on November 9, 2006.

E. Allergy Alert Stickers

Mrs. Adcock reported that she has been citing facilities that are not using allergy alert stickers or that the information on the stickers is not correct. One of MARC's goals to enhance patient safety, is the use of allergy alert stickers to warn of allergies along with maintenance of an updated patient medication list.

F. Fistula First Initiative

Mrs. Adcock reported that she, Mrs. Schwartz and the surveyors from the OHCQ attended a meeting with MARC regarding the surveyors' roles in support of the Fistula First Initiative. All facilities are encouraged to appoint a vascular access manager and follow the recommendations provided by MARC to increase fistula placement and use.

G. Code Preparedness

Mrs. Adcock noted that facilities should be prepared for emergency situations including cardiac and respiratory arrests. All staff should be CPR certified and all faculties should have an AED. If a facility does not have many "emergency situations" they may want to consider practicing a mock code. This preparedness may save patient lives.

H. Compliance with Physician Dialysis Prescriptions

Mrs. Adcock reported that during surveys she is finding that the staff are not following physician orders. Patients have been found on incorrect dialyzers and wrong dialysate baths. The charge nurse should be ensuring that physician prescriptions are followed. Facilities are cited under Staff of a Renal Dialysis Facility, if staff are not following physician prescriptions.

Mrs. Schwartz added that many times these serious issues arise when the charge nurses are taking patient assignments and therefore do not have time to properly round and assure that the patients are getting their prescribed treatments. The Commission is considering these citation as very serious violations, and will act accordingly.

I. Dialysis Technician Training Program Achievement Awards

Mrs. Adcock noted that the MBON has sent a memo to facilities regarding formatting of the CNA-DT achievement awards. The MBON requests that the facilities follow these formatting guidelines so that the applications may be processed in a timely manner. Incorrectly formatted applications will be returned to the applicant.

When questioned if anyone in the group had seen the memo from the MBON, the guests reported that they had not received this information. Mrs. Adcock will report this information to the MBON.

Post Dialysis Exsanguinations – Late Addition

Dr. Laura Herrera, Dr. Vincentti, and Marissa North staff from Baltimore City Department of Health and the ME’s Office, discussed Dr. Vincentti’s abstract which is a retrospective look at cases of exsanguination deaths associated with vascular accesses. She noted that from January 2000 until July 2006, there have been approximately 25 patient deaths related to vascular access exsanguinations. She discussed her findings and requested that the Commission work with the City Health Department to formulate a plan to address this issue. A discussion ensued regarding the best way to interpret the data, and the best mechanism by which to inform the patient population and the providers of ESRD care. Dr. Fink stated that MARC has reported that these findings are not statistically different in the region, but he agreed that some level of information should be disseminated to the renal community. He noted that a work group should be formed to formulate a comprehensive set of recommendations for the alert/notice. He stated he feels that the notice should be in the form of recommending patient education, prevention and routine inspection of old grafts. Dr Fink and Dr. Herrera will work collaboratively on a public statement.

J. Complaints/ Written and Verbal

Mrs. Schwartz reported an increase in the number of patients and staff complaining about facility staffing issues. The Commission is investigating these complaints and taking appropriate action on the seviolations.

K. Citation Free Surveys

Dr. Fink commended the Good Samaritan facility for having a citation free survey.

L. Tentative Meeting Dates for 2007

The following dates are tentatively scheduled for the Commission meetings in 2007:

- January 25, 2007
- April 26, 2007
- July 26, 2007
- October 25, 2007

M. Commission Approval/Disapproval for KDP Transplant Reimbursement

Hospital	Granted	Refused
Washington Hospital Center	2	1
Georgetown University Hospital	1	0

Mrs. Adcock noted that one request was not approved because the pre-approval request was received after the patient had received the transplant.

N. Surveys (21)

The Commissioners reviewed the results of the surveys and the deficiencies noted:

Deficiencies

Compliance with Federal, State and Local Laws and Regulations	1
Governing Body and Management	7
Medical Supervision	0
Long Term Program and Care Plan	10
Patient Rights/Responsibilities	6
Medical Records	11
Physical Environment	11
Transmissible Diseases	4
Reuse	3
Affiliation Agreements	0
Director of Dialysis Center	4
Staff of a Renal Dialysis Facility	9
Minimal Service Requirements	3
Transplant Centers/ Affiliation Agreement	0
Abusive and Dangerous Patients	0

Mrs. Adcock noted that the numerous Medical Record citations may be related to the allergy sticker issue. She also noted that when facilities are found not to be following the physician prescription, they are cited under Staff of a Renal Dialysis Facility.

O. Surveys Completed (21)

The following facilities have been surveyed since the last meeting:

- | | |
|-----------------------------|----------------------------|
| Davita Frederick | Charing Cross |
| Davita Downtown | Davita N. Rolling Rd. |
| Davita Largo | UMMS Dialysis |
| Davita Catonsville | St. Thomas Moore Dialysis |
| Renal Care Prince Frederick | Good Samaritan at Cromwell |
| Davita Dundalk | DCA Chesapeake |
| Bon Secours | Davita Greenspring |
| IDF Trinity | Peninsula Renal Care |
| Davita Berlin | Davita Germantown |
| Renal Care Seat Pleasant | Davita Howard Street |
| Davita Glen Burnie | |

Percent of Surveyed Facilities Meeting MARC's Anemia, Adequacy and Fistula First Goals

GOAL		Q1	Q2	Q3	Q4
ANEMIA	Hgb \geq 11	86%	53%	45%	
ADEQUACY	URR \geq 65/Kt/v \geq 1.2	68%	50%	65%	
FISTULAS	40%	28.5%	40%	73%	
FISTULAS	50%	9%	20%	40%	

Mrs. Adcock noted that the Commission will be reviewing the surveyed facilities' progress toward meeting these Network goals. Dr. Fink noted the improvement in the fistula goal.

CLOSED SESSION: Pursuant to Maryland State Government Annotated "10-508, on a motion made by Dr. Jeffrey Fink and seconded by Dr. Roland Einhorn, the Commission unanimously voted to close its meeting on October 26, 2006 at 3:30 p.m., in room 108-109 for the purpose of complying with the Maryland Medical Practice Act that prevents public disclosures about particular proceedings or matters.