

**MARYLAND COMMISSION ON KIDNEY DISEASE**  
**Thursday January 23, 2014**  
**4201 Patterson Avenue**

**PUBLIC SESSION MEETING MINUTES**

The Public Meeting of the Commission on Kidney Disease was held on Thursday, January 23, 2014 at 4201 Patterson Avenue. Chairman, Dr. Luis Gimenez called the meeting to order at 2:07 P.M. In attendance, in addition to Chairman Gimenez were Commissioners' William Frederick, RN, Bernard Jaar, M.D., Edward Kraus, M.D., Paul Light, M.D., Kulwant Modi, M.D., William Rayfield, M.D., Jim Stankovic, Kim Sylvester, RN, and Matthew Weir, M.D.

Commission staff present: Donna Adcock, RN, Surveyor.

Commission Counsel present: Leslie Schulman, AAG

DHMH staff present: June Bowman, RN, Surveyor and Barbara Fagan, OHCQ Program Manager from DHMH's Office of Health Care Quality(OHCQ), Carol Manning, Chief from DHMH's Kidney Disease Program (KDP)

**Guests present were:**

June O'Donnell – FMC

Johny Niles – Holy Cross

Pam Earll – Davita

Kimberly Morgan – Bon Secours

Jen Eisen – Davita

Emily Smith – Davita

Chris Simon – IDF

Zarita Pearson – Advanced

Triceia Nurse - Davita

Barbara Galloway – WMHC

Daniel O'Reilly – Interim Director, MTA Mobility

Marita Wallace Reilly – MTA Mobility

Carrie Coffey – Bon Secours

Ali Evans – Davita

Heather Weirich – IDF

Naomi Elcock – Community

Laura Conroy – JHH

Candyce Norris - NKF

**I. REVIEW AND APPROVAL OF THE MINUTES OF THE PUBLIC SESSION OF  
October 23, 2013**

Dr. Kraus motioned to approve the Public Minutes from the October 24th session; Mr. Frederick seconded the motion and the Commission voted unanimously to approve the Minutes of the October 24, 2013 Public Session.

**II. REVIEW AND APPROVAL OF THE MINUTES OF THE EXECUTIVE SESSION OF October  
23, 2013**

Mrs. Adcock read the minutes. Mr. Stankovic motioned to approve the Executive Minutes from the October 24th session; Mr. Frederick seconded the motion and the Commission voted unanimously to approve the Minutes of the October 24, 2013 Executive Session.

**III. Ratification of Executive Session Vote**

Dr. Light motioned to ratify the vote by the Commissioners at the October 24, 2013 Executive Session to not approve adding Astagraf XL to the KDP formulary. Dr. Modi seconded the motion, and the Commission voted unanimously to ratify their decision.

**IV. CHAIRMAN'S REPORT**

Dr. Gimenez reported that this quarter the infection control citations were down to 6 from 14-16 in the past few quarters. He commended the facilities for improving infection control which leads to increased survival rates for patients. Dr. Gimenez reminded the group of the ANNA conference scheduled for January 28<sup>th</sup>. He introduced Mr. O'Reilly, Interim Director of MTA Mobility Services and thanked him for attending the meeting. He also reminded the group of the importance of applying policies and procedures, completing and reviewing logs and working to increase safety in the dialysis facilities.

## **V. OLD BUSINESS**

### **Mobility Certification Issues – Daniel O’Reilly, Interim Director of MTA Mobility Services**

Mr. O’Reilly introduced himself to the Commission and stated that he was appointed as the Interim Director of the MTA Mobility Services in September, 2013. He reported that he had received a letter from the Commission outlining the transportation concerns for the ESRD patients. He noted that Mobility is making progress; wait times for a certification appointment had been as high as 7 weeks but that as of today, appointments were down to 3 weeks. Discussion ensued.

Dr. Gimenez voiced his concerns regarding the issue of non-prioritizing trips for medically necessary versus non-medical purposes. Mr. O’Reilly responded that the MTA complies with the ADA and it is their policy to not prioritize trips based on purpose. However, he did note that the Maryland Department of Transportation is looking at dialysis trips’ growth demand, and considering ways to coordinate MTA Mobility transportation across the state with “subscription trips.” Subscription trips are those which can be requested, and would combine customers who travel together from specified areas. Mr. O’Reilly also pointed out that subscription trips would require joint coordination by the MTA and the facilities.

Commissioner Stankovic made a statement on behalf of the patient community.

Finally, Mr. O’Reilly committed that he would strive to better meet the needs of the dialysis community and pledged to have a subscription trip coordinator assigned. He stated that he would provide Mrs. Adcock with the assigned staff’s name and contact information.

Mrs. Adcock stated that she will disseminate the contact information to the facilities.

## **VI. NEW BUSINESS**

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

Ms. Manning presented the KDP statistics and budget. She reported that out of approximately 2230 total KDP patients there are 615 active transplant patients. Ms. Manning thanked the Commissioners for their review and comment on the ICD-9 conversion to ICD-10 codes. She noted that the KDP may require more of the Commission’s input in the coming months. Federal Law requires the new code implementation by October 2014.

### **B. Network Report**

Mrs. Adcock reviewed the Network report (Attachment E) which included bed bug recommendations, tally of the number of grievances, involuntary discharges, involuntary transfers, and failure to place patients. The attachment also included information on the Healthcare Associated Infections Learning and Action Network, the Quality Incentive Program and the requirement for each facility to post their Performance Score Certificates. Also included was the Crown Web closing date for last quarter of January 31<sup>st</sup>, continuing education and the 2014 Virtual Council meeting information along with the Network’s Statement of Work. The guests were informed that the 2014 Virtual Council Meeting webinar scheduled for February 25<sup>th</sup> must be attended by at least one representative from each facility.

### **C. ANNA/Commission Conference Rescheduled – January 28, 2014**

Mrs. Adcock reported that the Fall ANNA Conference which is being co-sponsored by the Commission has been rescheduled for January 28<sup>th</sup> at the Sheppard Pratt Conference Center.

### **D. Home Hemodialysis at the Bedside**

Mrs. Adcock noted that the Office of Health Care Quality held a meeting with stake holders on January 13<sup>th</sup>. Members of the workgroup were discussing the feasibility of providers delivering “home” hemodialysis at the bedside of nursing home or assisted living patients.

Ms. Fagan reported that the Office of Health Care Quality is in the process of drafting regulations. She noted that several providers are interested in providing this type of care

and that CMS regulations do not prohibit the provision of this type of care. Dr. Gimenez voiced his concerns for quality control and infection control.

Discussion ensued. This item will remain on the agenda until resolved. Ms. Sylvester will attend the next workgroup meeting in February.

**E. Governor's Report**

Dr. Gimenez directed the Commissioners and guests' attention to the Commission's Annual Governor's report. Mrs. Adcock noted that once approved the report will be mailed to the Governor's Office, Legislative Library and to certain Legislators. Dr. Modi motioned to approve the Governor's Report; Dr. Rayfield seconded the motion and the Commission voted unanimously to approve the Commission's Annual Governor's Report.

**F. Citation Free Surveys**

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

- Davita Deer Creek
- Davita Charles County

**G. Categories of Complaints**

Dr. Gimenez reported that the Commission has received and resolved the following types of complaints since the last meeting:

- Written
  - Facility request to discharge patient for non-payment of fees
  - Patient family complaint regarding care at a facility
  - Physician complaint regarding staff
  - Patient complaint regarding care at a facility
- Verbal
  - Patient complaint regarding staffing at facility
  - Patient complaint regarding care at facility
  - Patient family complaint regarding transplant facility
  - Patient complaint regarding home dialysis eligibility/training practices
  - Facility complaint regarding patient with bed bugs
  - Patient family complaint regarding lack of transplant referral

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

The following hospitals have requested and been granted out of state transplant approvals:

<b>Hospital</b>	<b>Granted</b>	<b>Refused</b>
University of Rochester Medical Center	1	0
Washington Hospital Center	8	0

**I. Surveys (21)**

For informational purposes, the Commission shared the results of their Survey Findings Deficiency Report for the past quarter.

**Citations**

Compliance with Federal, State and Local Laws and Regulations	0
Infection Control	6
Water and Dialysate Quality	6
Reuse of Hemodialyzers/Bloodlines	0
Physical Environment	2
Patient Rights	0
Patient Assessment	0
Patient Plans of Care	3
Care at Home	1
Quality Assessment and Performance Improvement	5
Laboratory/Affiliation Guidelines	0
Personnel Qualifications/Staffing	14
Responsibilities of the Medical Director	0
Medical Records	0
Governance	1

**J. Surveys Completed (21)**

The following facilities have been surveyed since the last meeting:

Davita Baltimore County Community	Davita PG South
Good Samaritan Lorien	Davita Charles County
Deer's Head	Davita Downtown
FMC S. Salisbury	Davita Berlin
Holy Cross	Davita Deer Creek
FMC Pikesville	USRC W. Baltimore
FMC S. Annapolis	DSI Clinton
Davita Baltimore Geriatric	Davita Laurel
Davita Cedar Lane	ARA Adelphi
FMC White Marsh	Holy Cross Woodmore

**There being no further public business, upon motion made by Dr. Modi and seconded by Dr. Kraus, the Commission unanimously voted to adjourn the Public Session at 3:14 pm.**