

# CDC Report

Friday, March 15, 2002

Held via Telephone Conference

## **Legislative Report:**

Michael Arnold reported that he and Kristi Foy have completed their review of the new legislation for 2002. Mike reviewed the Legislative Status Report, dated March 14<sup>th</sup> that was previously emailed to the Board. Copies of any specific legislation may be obtained via the CDC web site using the following link:

[http://www.caldialysis.org/LEGISLATIVE%20\\_STATUS.htm](http://www.caldialysis.org/LEGISLATIVE%20_STATUS.htm).

There are three bills that address the Medicare Plus Choice issue, although this is primarily a Federal issue, we will continue to watch and will become involved if we can help our patients.

**SB 1344** - A bill introduced by a conservative Orange County Senator, Haynes, would prohibit a licensed facility or practitioner from refusing to provide treatment to a person on the basis that such treatment is futile or inappropriate - punishable as a criminal offense. CDC has sent a letter of opposition. The author is thought to be amending the bill. We will monitor the bill closely to ensure a favorable amendment. Dr. Paukert questioned what were they really trying to accomplish. Mike Arnold responded that Senator Haynes is very pro-life and this may be his attempt to stop activities associated with assisted suicide.

This bill led to the discussion of access to care for dialysis patients. It was pointed out that currently it is increasingly more difficult to place patients in dialysis facilities. Sometimes patients have to drive long distances for treatment. Mike Arnold suggested that we should investigate this issue as it could make a strong case to present to the budget sub-committee in an effort to get an increase in our reimbursement rates under the Medi-Cal program. Mike Arnold suggested that we should begin to develop some statistical information on this and should discuss the issue further at next month's Board meeting. Rich Turner stated that there was a recent article in one of the dialysis magazines that could be a good source of data. The Networks may also be able to provide some statistical data. As a subset of data, it may be interesting to see if the reduced access to care is related directly to a lack of dialysis stations or the lack of staff to operate these stations.

## **Regulatory Report:**

Michael Arnold reported for Karen Dyer that the regulations for change in the LVN scope of practice are now out of the Consumer Affairs Agency and now with the Office of Administrative Law (OAL) in the Governor's office. The OAL has until April 1<sup>st</sup> to report on the proposed changes. If they say that the regulations do not exceed the authority granted by the legislature, they will take effect. The regulations do not specifically authorize the initiation or termination of dialysis by LVN's via a central line catheter, however, the board is saying the LVN's would be permitted to do these tasks in accordance with standardized procedures.

**Certified Hemodialysis Technician Training Regulations:** The Department of Health Services (DHS) has contacted the CDC requesting that we introduce legislation that would give DHS the authority to finalize the development of the CHT regulations. The legal department at DHS has determined that proposed regulations surpassed the authority granted to the department by the legislature. DHS also asked if we wanted to add language to require technicians to be fingerprinted. These issues will be discussed further at the next Board meeting.

Sue Vogel questioned the status of the implementation of AB 394 the RN Staff nursing ratios bill. Mike Arnold stated that to-date only the governor's proposed regulations have been made public. There are a number of logistical issues to be resolved before the regulations go into effect. This is not expected to be until March or April of 2003.

**Medicare Report:**

Dr. Paukert's office wished to address the reimbursement for tPA Activase. United Government Services (UGS) is currently reimbursing at a rate of \$10.00 less than the acquisition price. Mike Paget will follow up with Dr. Michael Turek at UGS.

**Medi-Cal Report:**

Michael Arnold reported for Sean Graham. Mike and Sean have developed the list of Med-Cal billing and reimbursement issues to take the EDS/Med-Cal. Mike hopes to set up a meeting with DHS in the near future.

**CDC Annual Conference:**

Virtually all exhibit booths have been taken and the registrations are coming in on a daily basis. The Friday evening reception will be a 20<sup>th</sup> birthday party theme. There will be a cake decorating contest to raise money. The hotel will release its room block reserved for the CDC on Tuesday, March 15<sup>th</sup>. A reminder has been sent to all CDC members.

**Membership Report :**

Sue Vogel delivered the membership report. There are 57 facility memberships (3 not renewed), 9 corporate memberships (5 not renewed), and 11 individual memberships (1 not renewed). The following reflects large corporate membership:

- Gambro: renewed 50% of (42 in total) California facilities (paid in full)
- FMC: 25 units or 50%
- DaVita: Still pending

**Web Site:**

To date there have been no paid advertisements on the web site. A separate mailing shall be sent to the membership giving full details of the CDC web site classified advertising opportunities. A full demonstration of the web site, including the classified section will be available at the Annual Meeting. As a reminder the web site address is: <http://www.caldialysis.org>.

**The next Open CDC Board Meeting will be held at the  
Holiday Inn Oakland Airport on June 21, 2002**

**MAKE YOUR RESERVATIONS FOR THE  
CDC ANNUAL MEETING - APRIL 18-20, 2002  
PALM SPRINGS MARQUIS RESORT**