



Dialysis & Nephrology DIGEST

A monthly report by Benesch on the
Dialysis & Nephrology Industry

In This Issue

PAGE 2

Calendar of Events

PAGE 3

Nephrology and Dialysis

Federal Law increases competition in organ procurement, transplant system; NKF, ASN approve

CA's \$25 minimum wage for healthcare workers' bill passes; dialysis workers must wait until 2026 for raises

AKF expresses concern about market basket update in response to CMS proposed rule on ESRD, PPS, QIP

PAGE 4

InterWell Health CEO calls for greater emphasis on pre-dialysis kidney patients

InterWell Health names hospital system executive as CFO

PAGE 5

Strive Health, InterWell Health pledge to reduce health disparities relating to kidney care

Director of Vanderbilt's nephrology program notes doctors' management of women's health during kidney disease lacking

PAGE 6

Research suggests correlation between children undergoing dialysis at for-profit facilities, mortality

Judge dismisses 13 lawsuits brought against Fresenius over allegations its dialysis products caused heart attacks

Former DaVita employee from IL suing company over wrongful dismissal after reporting fraud

PAGE 7

DaVita partnering with Chicago-based education company on online nephrology nursing program

DaVita's mobile health screening, kidney care education program visiting 50 communities nationwide

PAGE 8

Singapore company developing wearable dialysis device plans U.S. trial

AKF introduces advisory council for Kidney Health Coach program

Patient advocate: Cuts to dialysis VACs are harming community-based providers

PAGE 9

OEIS, USPA urge providers to support bill H.R. 3674

Kidney Care Partners selects LaVarne Burton as chair-elect

N.Y. AG files complaint against Fresenius over allegations of unnecessary surgery for ESRD patients

PAGE 10

S.C. nephrology practice agree to pay \$585K to settle kickback allegations

October 12, 2023

Dialysis & Nephrology DIGEST



Please contact us if you would like to post

information regarding your upcoming events or if you'd like to guest author an article for this newsletter.

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Calendar of Events

OCTOBER 1–JANUARY 31, 2024

Peritoneal Dialysis University

For information, please click [here](#).

OCTOBER 13, 2023

Challenges & Pitfalls in Dialysis Access

Columbia University Irving Medical Center

For information, please click [here](#).

OCTOBER 14–16, 2023

2023 ANNA Nephrology Nursing Practice, Management, & Leadership Conference

For information, please click [here](#).

OCTOBER 20, 2023

Become An Advocate for Excellence in Nephrology Practice!

Washington, DC

For information, please click [here](#).

OCTOBER 20, 2023

California Medical Association: Registration now open for 2023 OMSS Assembly

Los Angeles, CA

For information, please click [here](#).

OCTOBER 20, 2023

RPA Virtual Capitol Hill Day

For information, please click [here](#).

NOVEMBER 8, 2023

SIR webinar

For information, please click [here](#).

NOVEMBER 11–14, 2023

American Medical Association Interim Meeting House of Delegates

For information, please click [here](#).

JANUARY 22–25, 2024

ISET Annual Meeting

Miami Beach, FL

For information, please click [here](#).

FEBRUARY 23–25, 2024

ASDIN Annual Meeting

Sheraton New Orleans

For information, please click [here](#).

MARCH 23–28, 2024

SIR Annual Meeting

Salt Lake City, Utah

For information, please click [here](#).

APRIL 11, 2024

RPA Nephrology Coding & Billing Workshop

Registration opens in early November.

For information, please click [here](#).

APRIL 11–14, 2024

RPA 2024 Annual Meeting

Registrations open in early November 2023.

For information, please click [here](#).

APRIL 14–17, 2024

ANNA National Symposium

Orlando, FL

For information, please click [here](#).

APRIL 25–27, 2024

OEIS 2024 Annual National Scientific Meeting

Las Vegas, NV

For information, please click [here](#).

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October 12, 2023

Dialysis & Nephrology DIGEST

Nephrology and Dialysis

SEPTEMBER 25, 2023

Federal Law increases competition in organ procurement, transplant system; NKF, ASN approve

The President signed the [bipartisan bill](#) into law on Sept. 22. The Organ Procurement and Transplantation Network (OPTN) was operated by a single non-profit for nearly four decades, but has been criticized for failing to put a dent in transplant wait lists, which typically exceeds 100,000. Besides opening up the organ transplant system to increased competition from contractors, the legislation will require the federal government to double its investment in organ procurement and transplantation to \$67 million. The law has the approval of the [National Kidney Foundation](#) and the [American Society of Nephrology](#).

SOURCE: Fierce Healthcare

SEPTEMBER 15, 2023

CA's \$25 minimum wage for healthcare workers' bill passes; dialysis workers must wait until 2026 for raises

The [bill](#) passed the CA legislature but requires the governor's signature to become law. It would require hospitals and other healthcare facilities to raise the pay for certified nursing assistants, patient aides, technicians and food service workers to \$23 an hour, effective Jan. 1. However, a last-minute amendment means workers at dialysis clinics and health systems with 10,000 or more employees will have to wait until 2026 for their salaries to increase to \$25 an hour. Workers at rural hospitals and those with high volumes of Medicare patients won't meet the minimum wage threshold until 2033.

SOURCE: Bloomberg Law (sub. rec.)

SEPTEMBER 13, 2023

AKF expresses concern about market basket update in response to CMS proposed rule on ESRD, PPS, QIP

The American Kidney Fund (AKF) [says](#) the proposed CY2024 market basket update of 1.7% for Medicare's ESRD PPS doesn't adequately address either inflation in healthcare costs or increased labor costs. It recommends CMS adopt an adjustment that would account for the disparity in the market basket forecast and the actual increase in inflation for the years 2019 through 2022. The AKF states a 4% market increase would address the underfunding of the ESRD bundled payment for those years. It adds in future years, the forecast adjustment be applied uniformly, meaning it's applied not only when the forecasted percent change is lower than actual inflation, but when it's higher too.

SOURCE: AKF

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October 12, 2023

Nephrology and Dialysis (cont'd)

SEPTEMBER 7, 2023

InterWell Health CEO calls for greater emphasis on pre-dialysis kidney patients

[Bobby Sepucha](#) notes of the 37 million Americans with CKD, less than 2% of them are on dialysis. However, he contends those 600,000 dialysis patients get all the attention from the industry and government, while the rest go largely undiagnosed until they're close to kidney failure. The current care model, Sepucha says, is ripe for disruption, adding InterWell Health tries to identify patients with kidney disease much earlier and then surrounds them with an integrated health team. He states the company will manage over 130,000 kidney patients in 47 states and PR by the end of the year, with continued growth from an expansion of value-based care to Medicare beneficiaries

SOURCE: Boston Business Journals (sub. rec.)

SEPTEMBER 28, 2023

InterWell Health names hospital system executive as CFO

[Adriana Day](#) was most recently SVP and CFO at Charleston, S.C.-based Roper St. Francis Healthcare, where she led payer strategies such as value-based contracting and performance at four hospitals and over 100 ambulatory sites. She appointed as CFO by [InterWell Health](#), a Boston-based kidney care management company formed from the merger of Fresenius Health Partners, Cricket Health and InterWell Health. Day's hiring follows the company's value-based agreement to provide services to Humana members with CKD and ESRD in 13 states.

SOURCE: InterWell Health

Dialysis & Nephrology DIGEST

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October 12, 2023

Dialysis & Nephrology DIGEST

Nephrology and Dialysis (cont'd)

SEPTEMBER 7, 2023

Strive Health, InterWell Health pledge to reduce health disparities relating to kidney care

[Strive Health](#) is a signatory to the Health Evolution Forum's [Health Equity Pledge](#). Companies commit to:

- Collecting race, ethnicity, language and sex data for at least 50% of its patient, member or customer population;
- Analyzing these data for 90% of their major business lines and/or departments/divisions of adequate size; and
- Sharing data and insights on health equity efforts and participate in the Health Equity Pledge Learning Series to exchange ideas and solutions.

Racial disparities in kidney care are well known, with Black and Hispanic patients presenting with higher rates of kidney disease and kidney failure than other groups. Meanwhile, [InterWell Health](#) also [made](#) the Health Equity Pledge, as did [Monogram Health](#) and [VillageMD](#).

Related: [Racial gaps persist in kidney transplantation, particularly among younger patients](#)—Healio (sub. rec.)

[Black, Hispanic patients face roadblocks to home dialysis](#)—Modern Healthcare (sub. rec.)

SOURCE: InterWell Health

SEPTEMBER 11, 2023

Director of Vanderbilt's nephrology program notes doctors' management of women's health during kidney disease lacking

[Dr. Anna Burgner](#) cites a study showing two-thirds of nephrologists lack confidence in managing concurrent women's health issues, including menstrual disorders, preconception consultations, pregnancy and menopause. She notes CKD affects one in 15 women of childbearing age in advanced economies, so those being treated must be educated about the risks of undergoing certain treatments while pregnant, including to developing fetuses. Burgner states there's a dearth of studies of the safety of oral contraceptives for women with CKD, as well as the likely interaction between CKD and menopause. These speak to the paucity of scientific literature on women's health in general but she's optimistic more innovation and research will occur to improve care.

Related: [In the U.S. Southeast, women with diabetes, CKD see fewer referrals to transplantation](#)—Healio (sub. rec.)

SOURCE: Healio (sub. rec.)

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October 12, 2023

**Dialysis &
Nephrology
DIGEST**

Nephrology and Dialysis (cont'd)

SEPTEMBER 5, 2023

Research suggests correlation between children undergoing dialysis at for-profit facilities, mortality

A study led by the Department of Medicine and Pediatrics at UC-San Francisco looked at data from over 15,000 pediatric patients receiving dialysis at U.S. facilities between 2000 and 2019. It found the death rate at for-profit clinics was 7/100 person-years, versus 4/100 person-years at non-profit clinics. Children at for-profit facilities had double the risk of death compared to those at non-profits when accounting for the competing risk of transplant. Researcher also found lower access to transplant in for-profit facilities mediated two-thirds of the association between facility profit status and risk of death, which they say warrants greater study to understand root causes.

SOURCE: JAMA Pediatrics

SEPTEMBER 8, 2023

Judge dismisses 13 lawsuits brought against Fresenius over allegations its dialysis products caused heart attacks

A federal district judge ordered 13 cases brought against Fresenius Medical Care by survivors of late dialysis patients and who opted out of a \$250-million settlement in 2017, should be dismissed. The plaintiffs alleged two of the company's dialysis products, which metabolize to sodium bicarbonate in the liver, caused heart attacks in patients. However, the judge noted Fresenius sent an advisory in 2012 about monitoring sodium bicarbonate in patients' blood and concluded all of the patients' doctors must've been aware of this. As well, experts for 10 of the patients reported no concerns with their sodium bicarbonate levels. The case docket suggests several additional claims may remain open.

SOURCE: Law360 (sub. rec.)

SEPTEMBER 8, 2023

Former DaVita employee from IL suing company over wrongful dismissal after reporting fraud

The woman worked for DaVita in IL for 11 years and sued the company for negligence, wanton misconduct and wrongful termination in violation of the Illinois Whistleblower Act after resigning in Apr. She claims she was retaliated against for reporting alleged fraudulent billing practices and illegal work activities by DaVita to the state's Department of Labor and to Medicare. The woman is seeking compensatory damages in excess of \$50,000 and will later file a claim for punitive damages plus costs.

SOURCE: Madison-St. Clair Record

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October 12, 2023

Nephrology and Dialysis (cont'd)

SEPTEMBER 14, 2023

DaVita partnering with Chicago-based education company on online nephrology nursing program

The Introduction to Nephrology Nursing course developed by [Adtalem Global Education](#) and DaVita will be added to the curriculum at [Chamberlain University](#), which offers nursing and public health education online. The online portion, getting underway in Jan., will be followed by a hands-on practicum. DaVita says the need for nephrology nurses is becoming acute, with many leaving the profession after the pandemic and two-thirds of them either 50 or older.

SOURCE: Adtalem

SEPTEMBER 13, 2023

DaVita's mobile health screening, kidney care education program visiting 50 communities nationwide

DaVita's [2023 Health Tour](#) will continue until Nov. 20, providing health screening with a mobile unit and educating the public about CKD risk factors, including obesity, diabetes, high blood pressure and family history. Among the tests being offered free of charge are:

- A glucose test via fingerstick to understand diabetes risk;
- A blood pressure reading for hypertension awareness;
- Body measurements for height, weight and waist to calculate body mass index (BMI) and assess obesity risk;
- An optional blood draw, which offers additional helpful insight into kidney function; and
- A personal and confidential patient results review.

DaVita notes early screening for risk factors can give patients a head start in planning interventions that mitigate kidney disease progression.

SOURCE: DaVita

October 12, 2023

Dialysis & Nephrology DIGEST

Nephrology and Dialysis (cont'd)

SEPTEMBER 13, 2023

Singapore company developing wearable dialysis device plans U.S. trial

[AWAK Technologies](#) raised \$20 million in Series B financing, headed by VC firms Lion X Ventures and Vickers Ventures Partners and including a contribution from U.S.-based health VC company Eckvity Capital. The medtech developed the AWAK PD, a wearable and portable dialysis device small enough to fit in a shoulder bag. The technology regenerates and reconstitutes waste dialysis fluid into fresh usable fluid, reducing the amount of dialysate by 90%. AWAK will undertake a final trial in the U.S., likely in 2025.

SOURCE: AWAK Technologies

SEPTEMBER 11, 2023

AKF introduces advisory council for Kidney Health Coach program

The American Kidney Fund (AKF) introduced the [Kidney Health Coach](#) (KHC) initiative in 2018 to train individuals who could educate others in their community about CKD prevention and management. Over 5,000 worldwide has passed through the coaching program in the five years since. AKF is introducing an advisory council to provide guidance, recommendations and promotion to the KHC, as well as collaborating with the fund on content and related materials for coaches. Advisory council members will also be encouraged to host public events and use various forms of media to further enhance the program.

SOURCE: AKF

SEPTEMBER 11, 2023

Patient advocate: Cuts to dialysis VACs are harming community-based providers

Terry Litchfield, President of patient advocacy consultancy [Access Solutions](#), claims cuts in the Medicare Physician Fee Schedule for office-based providers is forcing dialysis VACs to close, especially in rural and underserved communities. She contends the reductions are exacerbating healthcare disparities in dialysis care by negatively impacting access to facilities for the most vulnerable. Litchfield is heartened by bipartisan legislation that, if passed in the House of Representatives, should put an end to the repeated reductions in Medicare reimbursements for office-based specialists. She adds Congress would do well to encourage expansion of dialysis access centers, noting how they have much higher rates of patient satisfaction than hospital-based procedures, at a significantly lower cost.

Related: [Spotify: 'It's a Hobby' featuring Terry Litchfield](#)—The Journey Continues podcast

SOURCE: Healio (sub. rec.)

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October 12, 2023

Nephrology and Dialysis (cont'd)

OCTOBER 6, 2023

OEIS, USPA urge providers to support bill H.R. 3674

The Outpatient Endovascular and Interventional Society and the United Specialists for Patient Access are both throwing their support behind H.R. 3674, the “Providing Relief and Stability for Medicare Patients Act of 2023.” The bill is bipartisan legislation that would mitigate cuts to office-based specialists and avoid disruptions in patient access to care. It provides targeted relief to practices that utilize high-tech medical devices and/or equipment, which would be negatively impacted by the updating of the clinical labor costs in the budget-neutral practice expense methodology. The organizations are asking healthcare providers to urge their members of Congress to support the bill.

SOURCE: United Specialists for Patient Access

OCTOBER 5, 2023

Kidney Care Partners selects LaVarne Burton as chair-elect

Kidney Care Partners selected LaVarne A. Burton as chair-elect of the organization, replacing Mahesh Krishnan. Burton previously served as Executive Secretary to the U.S. Department of Health and Human Services, where she managed policy development and regulations. She also served as a Senior Analyst to the Budget Committee of the U.S. House of Representatives, advising the committee on Social Security, Medicare, Medicaid and other health programs. She currently serves as President and CEO of the American Kidney Fund.

SOURCE: Kidney Care Partners

OCTOBER 3, 2023

N.Y. AG files complaint against Fresenius over allegations of unnecessary surgery for ESRD patients

The Attorneys General of New York, Georgia and New Jersey filed a complaint against Fresenius Vascular Care, one of its New York-based executives, Gregg Miller and several of its affiliates over allegations they subjected Medicaid recipients with end-stage renal disease (ESRD) to unnecessary surgeries, defrauding N.Y. state’s Medicaid program. According to the complaint, defendants scheduled ESRD patients for regular appointments, during which they were sedated and had invasive procedures performed on their veins and arteries. Most of these patients, the complaint alleges, had no issues receiving dialysis and did not require those procedures. The lawsuit is seeking damages and penalties under the New York False Claims Act.

SOURCE: New York Attorney General

Dialysis & Nephrology DIGEST

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October 12, 2023

Nephrology and Dialysis (cont'd)

SEPTEMBER 29, 2023

S.C. nephrology practice agree to pay \$585K to settle kickback allegations

Moustafa Moustafa, M.D. and his medical practice, South Carolina Nephrology and Hypertension Center Inc., agreed to pay \$585,540 to resolve DoJ allegations they received illegal kickbacks. According to the DoJ, Dr. Moustafa received kickback in violation of the False Claims Act's Anti-Kickback Statute in return for laboratory referrals and caused the submission of false or fraudulent claims to Medicare and TRICARE. Dr. Moustafa and his practice agreed to cooperate with the investigations of, and litigation against, other participants in the alleged kickback schemes.

SOURCE: Department of Justice

Dialysis & Nephrology DIGEST

**For more information regarding our nephrology, dialysis
and office-based lab experience, or
if you would like to contribute to the newsletter, please contact:**

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