

Long-Term & Behavioral Health Committee

Agency Report for Petition to
Eliminate Dialysis Patients served by
Veteran's Administration Dialysis Facilities
from the ESRD County Need Methodology

Proposed 2013 State Medical Facilities Plan

Petitioner:

Mr. Jim Swann, Director
Market Development and Certificate of Need
Bio-Medical Applications of North Carolina, Inc.
37725 National Drive, Suite 130
Raleigh, NC 27612

Request:

The Petition requests the methodology used for determining county need for new dialysis stations be amended by removing Veterans Administration (VA) patients receiving treatment at VA dialysis clinics from the patient census data by county.

Background Information:

The current dialysis methodology was established in 1993. It assesses individual "County Need" for each of North Carolina's 100 counties on a semiannual basis. County need is based on all residents of North Carolina regardless of where they are being dialyzed.

Dialysis facilities report chronic outpatient dialysis patients by county and by facility to the Centers for Medicare and Medicaid (CMS) through the Southeastern Kidney Council (SEKC). The Division of Health Service Regulation (Division) receives a data report from the SEKC that contains dialysis population by county in May and November each year. The county data includes veterans in North Carolina who received treatment at Veteran's Administration facilities, even though these facilities are not subject to Certificate of Need review and are not included in the standard inventory.

According to the Veteran's Administration, there are approximately 800 veterans in North Carolina receiving dialysis and of those, 600 are receiving treatment at non-VA dialysis facilities.

Analysis of Petition:

The petition seeks to remove dialysis patients receiving treatment at VA clinics from the county data report the Division receives from the SEKC, which is used to project county need for Certificate of Need regulated dialysis facilities.

As indicated by the petition, "...failure to identify VA dialysis patients directly corresponding to the VA dialysis facilities and eliminate their numbers from their corresponding county of origin could result in a projected...county need where no real need exists."

The agency does want to plan services for all residents of North Carolina who require dialysis treatment services and avoid duplicating resources for a population who have access to treatment through the Veteran's Administration based on military service that are not available to the general public.

Removal of VA dialysis patients from the dialysis population by county data will not adversely affect application of standard methodology for which projected need for dialysis facilities are regulated by Certificate of Need.

The agency has received confirmation from the SEKC that they can identify and remove Veterans Administration patients receiving treatment in VA facilities from the dialysis population by county report at no additional cost.

Agency Recommendation:

The Agency supports the request to remove Veteran's Administration patients receiving treatment at VA dialysis clinics from the patient data by county for projecting new dialysis station need for purposes of the Proposed 2013 Plan and recommends that this petition be approved.