



# Dialysis & Nephrology

A monthly report by Benesch on the  
Dialysis & Nephrology Industry

# DIGEST

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## 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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[jgreis@beneschlaw.com](mailto:jgreis@beneschlaw.com)

### Calendar of Events

JULY 20, 2021

#### RPA Town Hall: Succession Planning

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

SEPT. 24–25, 2021

#### OEIS 8th Annual National Scientific Meeting

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

SEPTEMBER 29, 2021

#### National Kidney Foundation of Illinois (NKFI) Golf Classic

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

OCT. 6–8, 2021

#### RHA Annual Conference 2021

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

SAVE THE DATE

## Benesch Healthcare+ First Annual Dialysis and Nephrology Conference



**Thursday, December 2, 2021**  
**8 a.m. to 4:30 p.m.**  
Cocktail reception to follow  
**The Gwen Hotel**  
521 North Rush Street | Chicago, IL 60611

Please join us for this full-day conference addressing business and legal issues facing nephrology and dialysis providers. Hear from industry leaders discussing current and future trends in care delivery, business and payment models and legal and regulatory issues.

Please contact MEGAN THOMAS ([mthomas@beneschlaw.com](mailto:mthomas@beneschlaw.com)) for more information about this event or if you require assistance.

Invitation to follow.

**See agenda [here](#).**

**Benesch Healthcare+**

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## Nephrology and Dialysis Practices

JUNE 10, 2021

### **OSHA introduces mandatory workplace rule to protect healthcare workers from COVID**

The Occupational Safety and Health Administration (OSHA) issued an [emergency temporary standard](#) (ETS) that sets out how it wants workplaces to ensure the health and safety of healthcare staff who may become exposed to COVID-19. The ETS [summarizes](#) the overlapping steps employers must take to ensure compliance, including:

- A COVID-19 plan, which includes naming a safety officer, undertaking a hazard assessment and implementing protocols to mitigate risk;
- Patient screening, which includes securing points of entry and introducing screening and triaging strategies;
- Standard and transmission-based precautions that align with CDC guidelines;
- Mandatory PPE use for all staff when indoors and respirators for workers who come into contact with individuals who have or may have COVID-19;
- Limiting contact with patients suspected of or diagnosed with COVID-19 who require aerosol-generating procedures to only essential personnel;
- Maintaining physical distancing of at least six feet apart while indoors and install physical barriers that are easily cleaned or disposed of at workstations;
- Cleaning and disinfecting patient care areas, resident rooms and medical equipment per CDC guidelines and implementing cleaning and hand-sanitizing policies elsewhere;
- Ensuring HVAC ventilation systems are working according to manufacturers' specs and that air filters are rated at least MERV 13 (if possible);
- Conducting employee health screening daily and introduce medical management procedures to deal with employees who have or are suspected to have COVID-19;
- Providing paid leave and time off for vaccinations and vaccination side effects;
- Training staff about COVID-19 transmission and workplace policies and procedures that mitigate spread;
- Informing workers of the employer's anti-retaliation plan and ensure all requirements are at no cost to employees; and
- Ensuring records of employee exposure to COVID-19 are maintained and report workplace pandemic-related incidents to OSHA.

Before the release of the ETS, all COVID-19 requirements in workplaces were voluntary. For the mandatory provisions to be imposed, OSHA must determine that workers are in grave danger due to exposure to some hazard and that an emergency rule is necessary for their protection.

Related: [OSHA Issues Emergency Temporary Standards for Healthcare Workers](#)—Benesch

**SOURCE: NPR**

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July 2, 2021

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## Nephrology and Dialysis Practices (cont'd)

JUNE 10, 2021

### **Monogram Health raises \$160M to spur nationwide expansion of home-based CKD treatment**

Nashville-based startup [Monogram Health](#) says the Series B financing round included a contribution from health insurer [Humana](#). Monogram says the capital will spur continued domestic expansion of its kidney care business. The company employs AI-enabled technology to provide home-based care for CKD and ESRD. Monogram operates in 20 states and has a network of hundreds of leading kidney care specialists and nephrologists. It opened an operations center in Ariz. this year to support growth in western states.

Related: [How Monogram Health plans to use its new \\$160 million round of funding](#)—

Nashville Business Journal

[Here's why Humana helped a kidney disease management startup raise \\$160 million](#)—Insider Intelligence

**SOURCE: Monogram Health**

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JUNE 23, 2021

### **U.K. company Quanta raises \$245M to support development of HD solution**

U.K.-based [Quanta](#) claims the over-subscribed funding round is the largest ever for a dialysis device company. The \$245 million raised will support development of the company's [SC+](#) hemodialysis system and enable it to market the product in the U.S. and elsewhere. Quanta states with dialysis trending toward home-based solutions, its portable machine could become a standard-of-care option in the \$12-billion U.S. dialysis market.

**SOURCE: Quanta Dialysis Technologies**

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JUNE 21, 2021

### **ASN piloting loan mitigation program to attract historically underrepresented groups to nephrology**

The American Society of Nephrologists (ASN) set aside \$2.7 million for the five-year program that'll provide financial help to individuals belonging to groups that are underrepresented in nephrology. Up to six candidates, taken from the African American/Black, Hispanic/Latinx, American Indian/Alaskan Native and Native Hawaiian/Pacific Islander communities will receive \$50,000 over three years to pay off their student loan debt. [Applications](#) will be accepted for year one of the program until July 28.

**SOURCE: Healio (sub. req.)**

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**July 2, 2021**

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## **Nephrology and Dialysis Practices (cont'd)**

JUNE 14, 2021

### **Satellite Healthcare to participate in test of Deka's home HD system**

N.H.-based [Deka](#) developed the HemoCare Hemodialysis System as a home-based hemodialysis machine that works while patients are asleep. With its partners Satellite Healthcare and CVS Kidney Care, Deka will assess the system's safety and efficacy. The developer notes more frequent dialysis that is longer in duration is associated with better patient outcomes, which spurred its determination to find an easy and safe method to perform dialysis overnight .

**SOURCE: Satellite Healthcare**

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JUNE 8, 2021

### **Baxter: Research suggests expanded HD reduces cardiovascular events, hospitalizations**

Results from a Baxter [study](#) released at the 2021 ERA-EDTA Congress found expanded hemodialysis reduced cardiovascular events in patients by 35%. The technology, symbolized by Baxter's [Theranova](#) dialyzer, also reduced hospitalizations by 18%. The company noted that the use of Theranova didn't correlate with the duration of hospital stays or overall patient survival. The system filters conventional and large middle molecules, similar to a natural kidney, which may be associated with less inflammation and cardiovascular ailments.

**SOURCE: Baxter**

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JUNE 2, 2021

### **Baxter introduces remote patient management analytics program for in-home PD treatment**

Sharesource Analytics 1.0 will be initially rolled out in the U.S. but Baxter plans to market the technology globally. Working with Baxter's digital health remote patient management platform, the technology examines data to alert clinicians about adherence, catheter function and therapy fatigue. These are signs patients may not be following their prescribed home dialysis treatment regimen. Baxter claims the Sharesource home dialysis platform accounts for over one-third of all such treatments around the world.

**SOURCE: Baxter**

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July 2, 2021

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## Nephrology and Dialysis Practices (cont'd)

JUNE 2, 2021

### **Satellite, Strive agree to distribute Outset's home HD system**

Outset Medical, a medtech based in San Jose, Calif. specializing in dialysis innovations, will furnish dialysis patients of Satellite Healthcare with its Tablo home hemodialysis system through a multi-year agreement between the two companies. The deal also provides for education and training initiatives. Satellite provides in-home, self-care dialysis treatments to more than 8,000 patients annually. Meanwhile, Strive Health revealed it'll also employ Outset's Tablo HD system to expand patient access to home dialysis.

**SOURCE: Outset Medical**

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JUNE 2, 2021

### **DaVita creates app to connect home dialysis clients with one another**

Recognizing that patients undergoing home dialysis may feel alone and isolated, the DaVita Care Connect app was designed to create community and belonging among clients. DaVita states that a loss of human connection can often lead to patients ending home dialysis treatment. The app enables live, two-way communication between patients in a support group setting, overseen by DaVita's home support specialists. Patients can schedule daily or weekly sessions through the app, which is being offered free of charge to DaVita clients.

**SOURCE: DaVita**

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JUNE 10, 2021

### **DaVita, NKF initiate pilot program to improve equity in kidney transplantation**

The Big Ask: The Big Give platform is designed to run for one year in Colo., Minn., N. Mex. and N.Y. DaVita and NKF are collaborating on the virtual program which provides kidney patients from underserved communities the means to find a living organ donor. The initiative includes education and support from NKF professionals, one-on-one guidance from a patient navigator and a private online community for participants. Kidney patients in underserved communities may not know how and where to ask for a living donor and the chief medical officer at DaVita believes the platform will "empower patients with the knowledge and confidence to spread the word about their need and have these deeply personal conversations."

**Source: DaVita**

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July 2, 2021

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## Nephrology and Dialysis Practices (cont'd)

JUNE 1, 2021

### **[Latest NKF strategy to advance pro-kidney care legislation includes personal stories from patients, health professionals](#)**

[Voices for Kidney Health](#) is an NKF initiative designed to advance legislation and policies that improve kidney care by having patients and health professionals advocate on their own behalf with stories about their experiences. It's thought that personal appeals to legislators will encourage change in how kidney care is delivered, such as promoting improvements in home dialysis, living organ donation and healthcare equity. As well, it's hoped the program will incentivize prevention and research, and public education efforts.

Related: [NKF observes National Call Your Doctor Day](#) — National Kidney Foundation

**SOURCE: National Kidney Foundation**

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JUNE 2, 2021

### **[AKF says laws in Md., Tex., will protect living organ donors but notes only one-third of states have legislation](#)**

AKF says Md.'s [legislation](#) builds upon the state's protections for living organ donors by increasing the tax credits for unreimbursed expenses from \$7,500 to \$10,000. It also adds childcare, elder care and medications to the list of eligible expenses. Meanwhile, a Tex. [law](#) prohibits discrimination against live organ donors through:

- Declining or limiting coverage;
- Charging living organ donors more for a policy; and
- Precluding a person from donating an organ as a condition of their policy.

Including Md. and Tex., seven states enacted living donor protection legislation this year - the [latest](#) being N. Car. - bringing the total number of states with such statutes to 18. The AKF continues to advocate in favor of a federal bill that would ensure a uniform set of protections nationwide. In the meantime, the organization [expressed support](#) for the [CARE for All Kidneys Act of 2021](#), introduced in the U.S. House of Representatives, which would create a national action plan to address kidney disease in underserved populations.

Related: [2021 AKF living donor protection report card](#) — AKF

**SOURCE: American Kidney Fund**

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July 2, 2021

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## Nephrology and Dialysis Practices (cont'd)

JUNE 9, 2021

### [U.S. Senate bill meant to address inequities in access to kidney care through changes to Medicare](#)

Sponsored by U.S. Senators Ben Cardin (D-Md.) and Roy Blunt (R-Mo.), [S.1971](#) would provide access to Medigap programs for all ESRD patients, expand the Medicare Annual Wellness Benefit to include kidney disease screening and protect dialysis patients' access to MA plans. The [proposed legislation](#) would also expand kidney disease awareness and education, provide investments in dialysis care and disease research, reform quality standards and increase patients' access to advanced technologies in kidney care. The bill has the support of:

- **Organizations:** The American Kidney Fund, the American Society of Pediatric Nephrology, the American Nephrology Nurses Association, Dialysis Patient Citizens and Renal Physicians Association;
  - **Dialysis providers:** DaVita and Fresenius;
  - **Medical device companies:** Baxter and B. Braun; and
- Drug companies:** Amgen and AstraZeneca.

Related: [Opinion: A bipartisan solution to address chronic kidney disease in America](#)—The Hill

**SOURCE:** Sen. Roy Blunt

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JUNE 10, 2021

### [Study finds financial penalties for dialysis centers not associated with better future performance](#)

Research (sub. req.) from the University of Michigan's Center for Healthcare Outcomes and Policy [suggests](#) a CMS policy implemented in 2012 to reduce Medicare reimbursements by 2% for outpatient dialysis centers who don't meet the standard in the [ESRD Quality Incentive Program](#) had no impact on future quality of care. The study identified 1,109 centers that were penalized in 2017 based on their performance in 2015. Sanctioned centers were more likely to be located in areas with a higher proportion of non-white residents and/or in lower income neighborhoods. The data indicate that penalization wasn't associated with significant improvements in total performance scores (+0.4 points in 2017; +0.3 points in 2018). This trend was borne out even when researchers looked at specific performance measures.

**SOURCE:** UPI

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**July 2, 2021**

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## **Nephrology and Dialysis Practices (cont'd)**

JUNE 29, 2021

### **Healthcare groups launch campaign advocating home dialysis**

A group of nine leading healthcare organizations launched a new campaign to improve patient options for receiving home dialysis training and support. The [Innovate Kidney Care](#) campaign was established by the American Society of Nephrology (ASN), Anthem, Inc., Cricket Health, CVS Kidney Care, Home Dialyzors United (HDU), Intermountain Healthcare, the National Kidney Foundation (NKF), Outset Medical, Inc. and Strive Health. The campaign's goal is to advocate the Centers for Medicare & Medicaid Services to modernize ESRD Conditions for Coverage and related guidance to improve patient experience and outcomes, as well as improve healthcare practitioner experience and lower the costs of care by:

- Removing barriers to home dialysis training and support so more patients can benefit from it;
- Differentiating regulations to expand home dialysis training, support and improve patients transitions of care;
- Alleviating clinician burden of administrative tasks to allow for more focus on patient outcomes and safety; and
- Allowing for home dialysis training and support to be delivered in a variety of healthcare settings.

**SOURCE: HomeCare**

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## **VAC, ASC and Office-Based Labs**

JUNE 2, 2021

### **Blog: CMS should adopt site-neutral payments to address discrepancy between HOPD, ASC fee schedules**

Writing in Health Affairs, Harvard Business School (HBS) notes the CMS directive allowing hundreds of formerly inpatient-only medical procedures to be reimbursed at outpatient clinics represents only a partial victory in the push for more flexibility and lower costs. It states surgeries at ASCs are typically reimbursed at only 53% of what hospital outpatient departments (HOPD) receive for the same procedure. CMS uses different fee schedules for ASCs and HOPDs, with separate measures to adjust payments for inflation, which HBS contends is behind the discrepancy in reimbursements. It recommends CMS adopt site-neutral payments, whereby payment for the surgical procedure is uniform, regardless of setting.

**SOURCE: Health Affairs**

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**July 2, 2021**

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## Other Interesting Industry News

JUNE 14, 2021

### **[Humana to acquire value-based home health company One Homecare Solutions](#)**

Operating under the onehome banner, [One Homecare Solutions](#) offers home-based primary care services in eight states, particularly Fla. and Tex. The company provides post-acute care in the form of infusion care, nursing, OT, physical therapy and durable medical equipment services in patients' homes. onehome has provided these services to Humana members since 2015. Terms of the takeover deal by the health insurer weren't disclosed. Humana explains the acquisition is part of its strategy of building out its home healthcare capabilities.

**SOURCE: Humana**

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JUNE 21, 2021

### **[Carolina Kidney Partners enters into VBA with Georgia Nephrology to improve CKD patient outcomes](#)**

Charleston, S. Car.-based [Carolina Kidney Partners](#) (CKP) says the addition of Atlanta's [Georgia Nephrology](#) expands its footprint in the Southeast. Georgia Nephrology operates nine office locations and 30 Fresenius and DaVita dialysis units. Being a value-based agreement, CKP notes payments will no longer be fee-for-service but rather based on quality metrics. It contends the level of care for CKD patients is enhanced through an approach centered on data analytics, practice-embedded care coordinators and value-based contracting.

**SOURCE: Carolina Kidney Partners**

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JUNE 9, 2021

### **[Somatus study to explore SDoH impacts on CKD; closes \\$60M funding round](#)**

Value-based kidney care provider [Somatus](#) says the access to 20 years of CMS data will enable it to determine the extent to which social determinants of health (SDoH) impact CKD outcomes. Researchers will explore whether dialysis rates, associated costs, medication use and mortality rates are in any way governed by race, ethnicity, location and healthcare access. Results are expected early next year. Somatus also [revealed](#) it raised just over \$60 million in an equity offering that closed June 1 to support its ongoing expansion strategy.

**SOURCE: Somatus**

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**July 2, 2021**

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## **Other Interesting Industry News (cont'd)**

MAY 26, 2021

### **Vytalize Health to employ N.Y. startup's algorithm to identify clients at risk of developing kidney disease**

N.J.-based Medicare ACO [Vytalize Health](#) says [pulseData](#)'s algorithm will enable it to predict patients most likely to develop kidney disease based upon chronic comorbidities detected in their medical data. Armed with that information, Vytalize claims it can provide high-touch care to its most at-risk clients through its remote patient monitoring and telehealth capabilities. Vytalize provides of value-based care for over 65,000 Medicare beneficiaries nationwide, providing financial and technological solutions to primary care providers.

**SOURCE: Vytalize Health**

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JUNE 7, 2021

### **Satellite Healthcare named first in patient experience by CMS; names CMO for value-based care**

CMS reports Satellite Healthcare's dialysis centers were rated one-third higher than the national average for patient experience. Based on a five-star rating system, 100% of the company's clients rated their experience at three stars or above. Eighty-four percent gave their experience at Satellite a four- or five-star rating. CMS also states 94% of respondents rated Satellite's quality of care at three stars or higher, while nearly two-thirds gave the dialysis provider a rating of four or five stars. Meanwhile, Satellite named [Dr. Jay Agarwal](#) to the newly-created position of CMO for its value-based care division. He was most recently a regional medical director for UnitedHealth Group. Agarwal will promote Satellite's value-based care model with a special focus on patients with Stage 4-5 CKD.

**SOURCE: Satellite Healthcare**

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# **Dialysis & Nephrology DIGEST**

**July 2, 2021**

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## **Other Interesting Industry News** (cont'd)

JUNE 29, 2021

### **Bipartisan kidney disease bill introduced in Senate**

Lawmakers introduced a bipartisan bill, targeting key areas of reform in policies relating to kidney disease. The Chronic Kidney Disease Improvement in Research and Treatment Act was introduced in the Senate on June 22 and addresses patient awareness and education, treatment innovation, dialysis facility performance and health coverage. Changes proposed in the legislation include:

- Adding kidney disease screening to the Medicaid Annual Wellness Benefit;
- Allowing dialysis facilities to provide kidney disease education services, while also permitting physician assistants, nurse practitioners and clinical nurse specialists to serve as referral sources for the Medicare Kidney Disease Education Benefit;
- Requiring HHS to adjust the ESRD Prospective Payment System bundled rate, when necessary, to incentivize the use of new drugs, biologics, devices, etc.;
- Reforming how CMS adopts measures used in the ESRD Quality Incentive Program “to ensure there are a set of meaningful, valid, and reliable measures”;
- Granting ESRD Medicare beneficiaries of any age access to Medigap policies;
- Allowing patients to retain private insurance as their primary payer for an additional 12 months; and
- Requiring HHS to reinstate dialysis services as an area subject to the Network Adequacy requirements.

**SOURCE:** Healio

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

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