

New Compliance Guidance for Home Dialysis Provided at SNFs and LTCs

Richard P. Kusserow | May 2023

Actions Compliance Officers should consider in response to these changes.

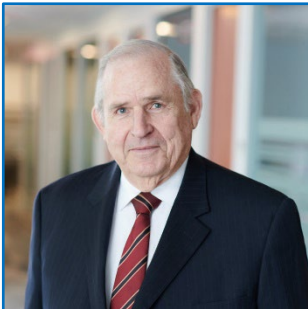
CMS has updated its 2018 [guidance](#) for home dialysis services performed at SNFs and LTC facilities under the End-Stage Renal Disease (ESRD) program. All patients receiving dialysis services must be under the care of a certified ESRD facility to have their treatments reimbursed by Medicare. Nursing home residents may receive dialysis treatments through In-Center Dialysis, where dialysis treatments are provided at a certified ESRD facility. Their treatment would be Home Dialysis treatments in the nursing home if administered by the patient, a family member or friend, dialysis facility staff, or nursing home personnel. The updated Guidance provides stricter requirements for written agreements between dialysis providers and skilled nursing home operators, including medical plans. It also details key elements to ensure effective and safe home dialysis for the nursing home dialysis population, including (a) an ongoing collaboration of care between the dialysis facility and nursing home; (b) adequate training for anyone that administers dialysis treatments; (c) appropriate monitoring of the dialysis patient's status before, during, and after treatments; and (d) ensuring a safe and sanitary environment for dialysis treatments. The updated Guidance contains information regarding written agreements and the responsibilities of the ESRD facility and the nursing home; qualifications and training of any dialysis administering personnel; and coordination of care. Those agreements must address clinical details, including:

- Methods for enabling timely communication and collaboration between both parties
- Ensuring a safe and sanitary environment
- Ensuring active nursing home care team participation in the development/implementation of an individualized care plan
- Delineation of patient monitoring responsibilities and any express recognition of any state scope-of-practice laws and limitations therein
- A process to review the qualifications, training, competency, and monitoring of any staff, patients, or family caregivers who administer dialysis treatments in the nursing home.

The ESRD facility is responsible for determining that the staff's skill level and availability in a nursing home are adequate, and the ESRD facility is responsible for ensuring that home dialysis is only provided if the facility can guarantee the patient's safety. The Guidance also updates the ESRD core survey process to include some additional survey tasks for evaluating home dialysis services provided in a nursing home. The ESRD survey tasks for review of home dialysis in a nursing home involve tasks at the ESRD facility before the on-site visit at the nursing home, tasks conducted on-site at the nursing home, and tasks conducted at the ESRD facility after the on-site visit. Of significance, the updated Guidance adds a table that delineates the total number of on-site visits that the ESRD survey team is required to make based on the total number of agreements that are in place between the ESRD facility and nursing homes.

With the significant changes provided by CMS in the updated Guidance, Compliance Officers should take steps to ensure a review and update of current agreements, policies and procedures, training protocols, and overall processes for home dialysis administration for nursing home arrangements.

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About the Author

Richard P. Kusserow established Strategic Management Services, LLC, after retiring from being the DHHS Inspector General, and has assisted over 2,000 health care organizations and entities in developing, implementing and assessing compliance programs.