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Dear Medical Director and Dialysis Facility Administrator:

We wanted to take this time to provide you with a brief overview of how the End Stage Renal Disease Network (Qsource ESRD Network 12) and the State Survey Agencies work together to ensure quality care and safety for patients receiving services in End Stage Renal Disease (ESRD) facilities in Iowa, Kansas, Missouri and Nebraska.

ESRD Networks and State Survey Agencies have contracts with the Centers for Medicare and Medicaid Services (CMS) that serve different functions. The State Survey Agencies have oversight of the ESRD Conditions for Coverage (CfCs) and as such use the regulations set by Congress to evaluate if facilities are meeting the minimum standards set by the regulations.

The ESRD CfCs include the establishment of and guidelines for the ESRD Networks, and specify regulations regarding the facility's relationship to the Network in their region. *"The governing body receives and acts upon recommendations from the ESRD network. The dialysis facility must cooperate with the ESRD network designated for its geographic area, in fulfilling the terms of the Network's current statement of work. Each facility must participate in ESRD network activities and pursue network goals."*¹

The ESRD Networks provide education on the ESRD CfCs using community standards of care and a CMS defined Statement of Work to address quality improvement, patient grievances, and access to care issues. The Statement of Work requires the ESRD Network to collaborate regularly with the State Survey Agencies in the Network's service area by:

1. Facilitating bimonthly conference calls to share issues and/or findings related to quality, access to, and coordination of care.
2. Responding to requests promptly regarding facility performance including if a facility fails to cooperate with a Network request or activity. This includes active participation in Quality Improvement Activities, required data reporting, and providing the Network with requested documentation in regards to grievances as well as other activities required to meet Network goals.
3. Referring grievances appropriately. Per CMS guidance, the Network will refer a grievance to the State Survey Agency when:
 - The Network has reason to believe that one or more individuals may be in imminent danger of serious harm
 - The Network has reason to believe that a dialysis facility may have failed to comply with any of the ESRD CfCs or has demonstrated a repeated pattern of not complying with the ESRD CfCs
 - The Network has reason to believe that an ESRD provider is not providing appropriate medical care
 - A dialysis facility has inappropriately discharged or transferred a patient for non-compliance, for filing a grievance, or for any reason other than those listed at 42 CFR§494.180(f)
 - The Network has reason to believe that an ESRD provider may have violated the rights of one or more ESRD patients

Thank you for taking the time to review this letter. We hope that it helps provide you with a better understanding of the different directives given to the Network and State Survey Agencies and how we work together to improve the patient experience of care.

Sincerely,

Stephanie L. Smith
Executive Director

¹ 42 CFR part 494 Conditions for Coverage for ESRD facilities.