



THE KIDNEY CARE COUNCIL

Providers of Quality Care for the Nation's Dialysis Patients

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Statement

Robert D. Foreman, President of The Kidney Care Council
*The Kidney Care Council Commends the Kentucky
House Banking and Insurance Committee Passage of H.B. 433*

“The Kidney Care Council commends the House Banking and Insurance Committee for its thorough hearings on February 20th, February 27th, and March 5th concerning the protection of kidney patient rights in Kentucky. We appreciate the consideration committee members have given this important issue and look forward to continued dialogue as the bill is prepared for a vote on the House floor.

“During the course of the hearings, insurance industry representatives asserted that negotiations have proven effective for dialysis care and that the protections embodied in this legislation should be left to the market. Based on our experience, however, this legislation is needed to protect patients all across the Commonwealth. In recent years, the kidney care community has seen significant changes in kidney patient coverage imposed by insurance companies. Every experience is unique, but in general we have found that negotiations have been eclipsed by the imposition of significant coverage changes that put kidney patients and their families at real risk.

“H.B. 433, the Dialysis Patient’s Bill of Rights establishes the following protections for patients:

- Protects patients by requiring dialysis providers to accept insurance payment for out-of-network services as payment in full, and not billing patients for balances.
- Protects patients from “after-the-fact” policy changes by ensuring that the coverage purchased by dialysis patients is there when they need it most by prohibiting changes to a patient’s existing insurance coverage for such things as the co-payment amounts, deductibles, share of costs, out-of-pocket maximums, or maximum payment limits.
- Builds on current law by creating “guardrails” within which negotiations will occur and by utilizing this consumer safeguard to protect against excessive reductions in payment rates while allowing insurers to reduce rates up to three percent each year.
- Protects patients from being placed in the middle of contract disputes by ensuring payments are sent to the provider, not the patient.

“H.B. 433 is needed to protect access to quality care for Kentuckians suffering from kidney disease. This legislation will help many patients, and for that, we thank you.”



The Kidney Care Council (KCC) is a nonprofit Washington-based health care trade association of eleven renal care companies that collectively provide End-Stage Renal Disease (ESRD) services to nearly 80 percent of the dialysis patients in the United States. The membership includes large, small, nonprofit and for-profit provider companies. The KCC's mission is to improve patient care through demonstrable improvements in patient outcomes, patient safety, and quality of life measures. The KCC is dedicated to improving quality as well as promoting education so that newly diagnosed patients fully understand this disease and how to slow its progression and reduce complications.