



# The Kidney Patient Act & Its Impact on Health Disparities

## Overview

The Kidney Patient Act, as proposed by the Centers for Medicare and Medicaid Services (CMS), seeks to include Phosphate Lowering Therapies (PLTs) within the End-Stage Renal Disease (ESRD) payment bundle. While intended to streamline costs, this policy change threatens to exacerbate disparities in kidney care, particularly for minoritized populations who are already disproportionately affected by kidney disease.

## Summary

### Key Concerns:

#### Impact on Patient Care:

- PLTs are essential for managing elevated blood phosphorus levels, a common issue in patients with kidney failure. Without proper management, high phosphorus levels can lead to severe complications such as cardiovascular disease, bone fractures, and increased mortality.
- The inclusion of PLTs in the ESRD payment bundle shifts decision-making from patients and their nephrologists to dialysis providers, potentially limiting access to necessary medications and compromising individualized care.

#### Health Equity Issues:

- A significant portion of dialysis patients are African American, Hispanic, and Native American. These populations are already facing high levels of health inequity and would be disproportionately impacted by reduced access to PLTs.
- Socioeconomic factors, such as food insecurity, further exacerbate these challenges. Many minority patients, particularly those with low incomes, rely on affordable but phosphorus-rich processed foods, making PLTs crucial for managing their condition. The proposed changes could increase their out-of-pocket costs and hinder access to these life-saving medications.

#### Operational Challenges:

- Dialysis facilities lack the infrastructure and experience to manage and dispense oral medications like PLTs, which need to be taken multiple times a day, outside of dialysis sessions. This could lead to significant gaps in patient care.
- Patients residing in skilled nursing facilities, who rely on pharmacies for their medications, may face severe difficulties in accessing PLTs if they are moved to the ESRD bundle, as these facilities do not typically coordinate with dialysis centers for medication provision.

### Physician

In response to the proposed rule, a coalition of nephrologists has written to CMS, expressing their deep concerns about the potential harm to patients if PLTs are included in the ESRD payment

<b>Advocacy:</b>	<p><b>bundle. They argue that this change would:</b></p> <ol style="list-style-type: none"> <li>1. Jeopardize patient health by restricting access to essential medications.</li> <li>2. Disproportionately affect minority populations, worsening existing health disparities.</li> <li>3. Place an undue burden on dialysis facilities ill-equipped to manage these medications effectively.</li> </ol>
<b>Call to Action:</b>	<ul style="list-style-type: none"> <li>• Add your name to the letter to <a href="#">Congress via Voter Voice</a>, urging elected officials to support the Kidney Patient Act (insert link).</li> <li>• Join NEKC and help us improve outcomes for underserved communities impacted by chronic kidney disease.</li> </ul>
<b>Support Needed:</b>	<p><b>Next Steps:</b></p> <ul style="list-style-type: none"> <li>• Add your name to the letter to <a href="#">Congress via Voter Voice</a>.</li> <li>• Join <a href="#">NEKC</a> to help advance equitable kidney care and improve outcomes for underserved communities. Together, we can drive meaningful change.</li> </ul>
<b>Conclusion</b>	
<p>The Kidney Patient Act, in its current form, poses significant risks to patient health and could deepen existing disparities in kidney care. It is critical that CMS listens to the voices of healthcare providers and considers the broader implications of this policy on the lives of patients battling kidney failure.</p>	

**About Nephrologists for Equitable Kidney Care (NEKC)**

NEKC is a collaborative network of nephrologists and healthcare professionals dedicated to reducing disparities in kidney care, especially in underserved communities. We're part of National Minority Quality Forum (NMQF) and aim to ensure equitable access to optimal kidney care.

<b>For More Information or to Get Involved:</b>	
<a href="#">[Nephrologists for Equitable Kidney Care(NEKC) / mdsolarte@nmqf.org/ NMQF]</a>	
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	<p><b>National Minority Quality Forum</b></p> <p><b>Kelelaye Emiru, MBA</b>   Vice President, Center for Professional and Strategic Alliances   NMQF</p> <p><b>Michael DeSalvo Solarte, MSW</b>   Program Manager, Center for Professional and Strategic Alliances   NMQF</p>