

Four Nephrology-Related Policies to Watch in 2021

By Annika Khine and Eugene Lin

On the heels of an historic election with record voter turnout comes no shortage of kidney policies. While coronavirus infectious disease 2019 (COVID-19) remains the priority, developments in kidney policies will continue unabated, including two payment models, new Medicare Advantage rules, and reductions in barriers to kidney transplantation.

COVID-19

During the pandemic, the kidney community led the nation in innovating infection control measures, especially in dialysis facilities. Tragically, patients on dialysis still experienced a disproportionate share of hospitalizations and mortality. One silver lining is that peritoneal dialysis was associated with fewer hospitalizations (1), which may provide tailwinds for efforts to increase home dialysis use. Promising vaccine trials are a big step, although production and distribution remain a daunting task.

The ESRD Treatment Choices (ETC) and Kidney Care Choices (KCC) models

Medicare's ESRD Treatment Choices (ETC) and Kidney Care Choices (KCC) models formally start in 2021 (2). These models incentivize home dialysis use, kidney transplantation, and pre-dialysis care coordination (Figure 1). Special attention goes to the ETC, which has randomly assigned 30% of nephrologists and dialysis facilities in the United States to mandatory participation (<https://innovation.cms.gov/media/document/etc-hrr-report> lists the mandatory geographic areas) (3). Anecdotal feedback from providers and patients is anticipated by year's end.

Medicare Advantage

Prior to January 2021, patients on dialysis could only hold Medicare Advantage if they enrolled *prior to developing* end-stage kidney disease (ESKD). Starting in January 2021, the 21st Century Cures Act will allow patients on dialysis to *newly enroll* in Medicare Advantage plans (4). Experts expect a 50% increase in Medicare Advantage enrollment by 2022 and 100% by 2026 (5, 6). Small studies suggest that Medicare Advantage might effectively promote chronic disease management and improved kidney disease outcomes (7). However, the consolidated dialysis industry may result in large increases in Medicare Advantage prices and limited benefits for patients.

Kidney transplant

The Living Donor Protection Act, which would protect living organ donors from insurance discrimination and extend

Family and Medical Leave Act job protection during the post-donation period, will again make the rounds on the Hill and may see a vote. Separately, we might see an uptick in the availability of deceased donor kidneys owing to the finalization of stricter outcome measures for organ procurement organizations (i.e., assessing successful donation and transplantation rates), even though formal enforcement begins in 2022 (8).

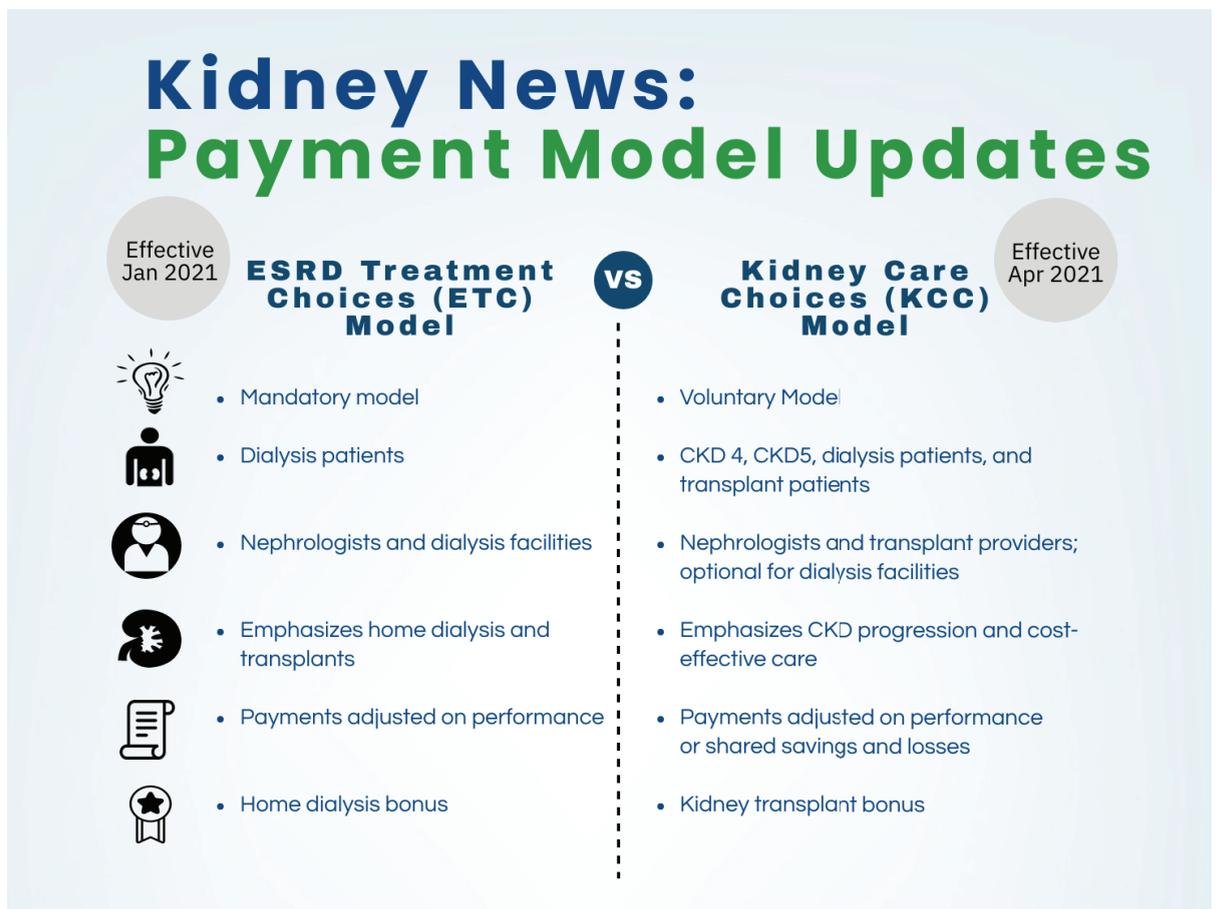
We remain optimistic that 2021's myriad kidney policies will help the kidney community better coordinate high-quality care for patients with kidney diseases. ■

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Figure 1. Comparison between payment models



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Centers for Medicare & Medicaid Services. Kidney Care Choices Model. <https://innovation.cms.gov/innovation-models/kidney-care-choices-kcc-model>. Accessed November 24, 2020.
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