



Fresenius Medical Care

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HEALTH FACILITIES &
SERVICES REVIEW BOARD

Ms. Courtney Avery
Administrator
Illinois Health Facilities & Services Review Board
525 W. Jefferson St., 2nd Floor
Springfield, IL 62761

Re: #13-054, NxStage Oak Brook Comments

Dear Ms. Avery:

On behalf of Fresenius Medical Care North America, I am writing to provide information pertaining to the NxStage Oak Brook application to establish an 8-station in-center hemodialysis clinic. Fresenius does not oppose the application, but does want the Health Facilities and Services Review Board to understand the nature of the application.

Background on NxStage and Home Dialysis.

NxStage is a manufacturer of a home dialysis machines. As the Health Facilities and Services Review Board (“HFSRB” or “Board”) has heard when considering dialysis applications, there are treatment options for end stage renal disease (“ESRD”) patients. One option is home hemodialysis (done on a machine at home, with a partner required for safety, generally 3 times a week although the physician orders frequency based on medical necessity). If a patient chooses home hemodialysis, he or she has to be trained on use of the home dialysis machine and process. The training is initiated in a certified home hemodialysis training facility clinic, and completed at the patient’s home.

The NxStage center is proposed, according to the application, to train patients on home dialysis and to provide “respite” care. Respite care is used when patients on home dialysis want to (or need to) give the partner (a family member, friend, caregiver) a “break” from the home dialysis schedule, or when the individual might be too ill to administer home dialysis to himself for a period of time, or for any number of similar reasons. Respite care is provided in-center, and is basically back up in-center hemodialysis, which can be provided at any of Fresenius in-center facilities (or generally any certified in-center facility).

NxStage should be limited to providing respite care and home training.

The NxStage application states “traditional” dialysis will not be administered. However, there is no distinction under your rules between providing respite care and traditional in-center hemodialysis, so **Fresenius would request that any permit issued to NxStage be contingent on a condition requiring it not to provide traditional in-center hemodialysis services.**

Fresenius Medical Services ♦ North Division

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Lack of Choice Inherent In Using Solely NxStage Machines For Training.

The NxStage application states it is a “new and unique” form of care. That is not really the case. For example, Fresenius currently has 82 patients that were trained at its facilities on NxStage machines for home dialysis care. Fresenius assumes that other companies have patients that use NxStage machines also. In addition, Fresenius has provided home hemodialysis training for 41 patients in 2013. Fresenius provides home hemodialysis training on a variety of machines, including as referenced the NxStage machine. Usually machine choice is dictated by physician order.

NxStage is not in the business of providing traditional dialysis treatment. It is generally a manufacturer of home dialysis machines and equipment. It is clear that in establishing its own center to provide home hemodialysis training and respite care, its goal is to train patients on its machines and provide respite care to them to increase the sales/use of its home dialysis machines. When patients are trained on a particular machine, they naturally gravitate toward using it for home hemodialysis. It appears from the NxStage application, patients receiving training from NxStage will receive no choice – but will only be trained on NxStage machines. **We propose that if NxStage is given a permit, it be required to be open to any trainers, and to offer training on a variety of home hemodialysis machines.**

Application Fails to Meet HFSRB Criterion.

The problems associated with development of a clinic dedicated solely to training and respite care, which are duplicative services, is inherent in the application itself.

- There is no possibility for NxStage to meet the target utilization requirement of 80% operating six shifts a day three times a week, as it is not offering traditional in-center hemodialysis.
- It is noted the facility will be “marketed” to physicians and patients through advertisement. There is no physician support and referral information to provide volume for meeting the target utilization rate required and/or to meet the Board’s criteria relating to physician referrals and historic physician referrals.
- There is no lease for space or evidence of site ownership for the location of the clinic.
- There is no background information (NxStage could provide information on adverse actions and the actual payer mix it has in other states where it has home training programs, as opposed to estimates).

We appreciate your consideration of our concerns, and the possibility of imposing certain conditions on any permit that might be given to NxStage.

Thank you.

Sincerely,



Coleen Muldoon
Regional Vice President