



April 7, 2017

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Dear Dr. Goodrich and Dr. Yi:

On behalf of Kidney Care Partners (KCP), I want to thank CMS and UM-KECC once again for providing the opportunity to listen to, and submit comments on, the work of the End Stage Renal Disease (ESRD) Dialysis Facility Compare (DFC) Star Ratings Technical Expert Panel (TEP). As you know, KCP strongly supports public reporting of quality measures and has appreciated the chance to engage with CMS and UM-KECC to address issues as they arise with the DFC Star Rating program. In light of the most recent TEP discussions, KCP asks that CMS and/or UM-KECC provide the TEP and interested stakeholders with answers to a few questions related to the re-setting of the stars to provide for transparency with regard to how this policy may be developed.

As a threshold matter, KCP supports the TEP's recommendation that when CMS adds or modifies measures to the DFC Star Rating program that it not re-baseline back to the forced bell curve distribution of 10-20-40-20-10. The original forced bell curve distribution does not reflect the actual performance distribution among facilities and is not helpful for patients or consumers. We appreciate that the TEP has recognized this fact and look forward to providing further recommendations as to how and when re-baselining may occur.

We also understand from the TEP discussions that CMS may wish to re-set the star ratings when facilities become "compressed" in the upper star levels and that UM-KECC has been asked to provide recommendations as to how this process might work. We strongly encourage CMS to provide any options and potential recommendations to the TEP for its review prior to proposing and/or adopting such a policy, which is consistent with the scope of the TEP and focus of the most recent conference call convening the TEP.

Specifically, we ask that CMS provide answers to the following questions:

- Is there a minimum weight of measure changes that would trigger re-setting of the Star Rating cut points?
- What level of compression of the Star Ratings would trigger re-setting of the Star Rating cut points?

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- When re-setting is triggered, what distribution of Star Ratings would be used?
- What “predictable time interval” would be used to re-set Star Rating cut points.

We believe that providing answers to these questions to the TEP and interested stakeholders would allow for additional analysis that could lead to important comments or recommendations.

While we anticipate that CMS would not be re-setting the stars in the next iteration of the program, we do urge the Agency and UM-KECC to provide answers to these questions as quickly as possible this Spring to allow for the continued dialogue while the recent TEP discussions remain fresh in everyone’s mind.

We appreciate your consideration of this request. Please do not hesitate to contact Kathy Lester at klester@lesterhealthlaw.com or 202-534-1773 if you have questions about our request or would like to arrange a meeting or a call to discuss it further.

Sincerely,



Frank Maddux, M.D.
Chairman
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cc: Joel Andress, Ph.D, ESRD Measures Development Lead
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