



National Renal Administrators Association

October 14, 2011

Jonathan Blum
Deputy Administrator
Centers for Medicare and Medicaid Services
Center for Medicare
7500 Security Boulevard
Room C5-15-12
Baltimore, MD 21244-1850

Re: CMS-ESRD Draft Medicare Cost Reporting Forms; 265-11

Dear Mr. Blum:

The National Renal Administrators Association (NRAA) is pleased to provide the Centers for Medicare and Medicaid Services (CMS) with comments on the revised End Stage Renal Disease (ESRD) Medicare Cost Reporting form 265-11 and associated instructions. The NRAA is a voluntary organization representing dialysis providers throughout the United States. Our membership is primarily small dialysis organizations (SDOs) and medium sized dialysis organizations (MDOs), both for-profit and non-profit providers serving patients in urban, rural and suburban areas in both free-standing and hospital-based facilities.

The NRAA is concerned that when the new form 265-11 becomes official, on or around the end of October 2011, that the SDOs and MDOs with fiscal years ending in 2011 prior to the release date will not have enough time to collect, process and accurately complete the new form 265-11 in accordance with the official instructions by the current extended due date of November 30, 2011. Our preparation and filing concerns are based on the current ESRD provider operating environment as follows.

- The new proposed form 265-11 has increased the number of required schedules to be completed within the document from 10 schedules to 16 schedules, with a much higher degree of complexity with new reporting requirements on more than half of the total 16 forms.
- For ESRD providers with fiscal years ending within 2011 the design of the forms require these filers to document two subgroups of data, both for the periods before January 1, 2011 and after December 31, 2010. Most, if not all, of these ESRD providers do not have systems that are designed to provide this information easily without extending great efforts to manually research and document all of these new required data element subgroups.
- There is tremendous concern that most, if not all, of the SDOs and MDOs do not maintain departmentalized balance sheet information, especially without prior notification of this new requirement before starting 2011. Accordingly, this single new requirement alone will mandate extensive time to research and produce accurate individual facility balance sheets, for all providers filing for years starting after December 31, 2010 that have two or more ESRD facilities within their organizational structure.

Jonathon Blum, Deputy Administrator

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The overall general concern is there is an increased complexity and level of sophistication required to collect, process and accurately complete form 265-11 and that SDOs and MDOs were not given adequate notice to modify their systems to appropriately collect and document prior to 2011, for these increased reporting requirements.

Given the obvious expansion of data collection and reporting requirements combined with the increased complexity for completing form 265-11, especially for 2011 fiscal year filers, we believe there is a clear need for an extension of time to the normal 5 month period once the official form 256-11 and instructions are finally released. Therefore, the NRAA urges CMS to extend Form 265-11 filing due dates for all ESRD providers with fiscal years ending on or before October 31, 2011 to March 31, 2012 affording these providers the normal five month preparation period, based on when the official form 265-11 and instructions are released to the ESRD provider community for use.

We appreciate the opportunity to comment on this issue and look forward to providing ESRD providers some relief on these important filing requirements, so that the ESRD provider community will have adequate time to research, complete and file accurate Medicare Cost Reports, for the greater good of the industry.

The NRAA will be submitting comments regarding the actual 256-11 form design in a separate letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Sue Rottura", written in a cursive style.

Sue Rottura
President