Significant Legislation and Regulation of the ESRD Network Program

October 30, 1972  Section 2991 of PL 92-603
- Extended Medicare Coverage to individuals less than 65 years with permanent kidney failure
- Limited reimbursement to treatment centers which meet requirements
- Required minimal utilization rate
- Established MRB to screen appropriateness for initiation of services

June 29, 1973  Federal Regulation
- “Interim Regulations” for implementing ESRD Program

June 3, 1976  Federal Regulation
- Patient eligibility and entitlement
- Facility qualification or certification
- Established ESRD Networks
- Facility reimbursement
- Home dialysis
- Claims processing

June 13, 1978  ESRD Amendments of PL 95-292
- Amended Title XVIII of the Social Security Act, by adding Section 181 establishing ESRD Networks

October 19, 1978  Federal Regulation
- Added requirements related to self dialysis services

April 7, 1986  PL 99-272, Consolidated Omnibus Reconciliation Act
- Required Secretary to maintain Network Organizations
- Permitted the Secretary to consolidate Network Organizations to 14

August 26, 1986  Federal Regulation
- “Interim Regulations” for implementing ESRD Program
- Patient eligibility and entitlement
- Facility qualification or certification
- Facility reimbursement
- Home dialysis
- Claims processing

October 21, 1986  PL 99-509, Omnibus Budget Reconciliation Act
- Required the Secretary to establish no fewer than 17 Networks
- Funded Networks at $.50 per treatment performed
  - Revised Network responsibilities
  - Assess appropriateness of care
  - Develop criteria and standards
  - Evaluate/resolve patient grievances
  - Conduct on-site visits
  - Collect, validate, analyze data
  - Recommended sanctions

October 2, 1987  Federal Regulation
- Reorganized Networks into 18 areas
Significant Legislation and Regulation of the ESRD Network Program

December 19, 1989  PL 100-239, OBRA of 1989

- Amended section 1881(c) of the Social Security Act to provide liability protection for Networks against disclosure of information.
- Allowed Secretary to pool the $.50 per treatment and distribute it among Networks rather than keeping it in the area where collected.