

September 23, 2011

Mr. Toby Douglas,
Director, Department of Health Care Services
1501 Capitol Avenue, MS 0000, P.O. Box 997413
Sacramento, CA 95899-7413
Toby.douglas@dhcs.ca.gov

**RE: Medi-Cal Coverage of Dialysis Patients for Enteral Nutritional Supplements -
(CWI Code section 14132 (ab)(3))**

Dear Director Douglas:

As America's largest dialysis patient organization, Dialysis Patient Citizens (DPC) works to improve the quality of life of all kidney patients. We write today on behalf of the more than 50,000 dialysis patients in California to ensure that kidney patients in the State do not see restrictions in Medi-Cal coverage for oral nutritional supplements. In June, DPC submitted a letter to the Department of Health Care Services (DHCS) requesting clarification on the exemption language included in the California Welfare and Institutions Code Section 14132 (ab)(3) by the California Department of Health Care Services (DHCS) providing Medi-Cal coverage of enteral nutritional supplements for adult individuals who are tube fed, have an inborn metabolic disorder, and/or suffer from malabsorption issues. We strongly believe that dialysis patients clearly qualify for Medi-Cal coverage of oral nutritional supplements under these terms and that any other interpretation of this language could jeopardize the health and quality of life for dialysis patients and lead to a sicker and more costly beneficiary population.

DPC sent the enclosed letter in June but has not received further clarification about the malabsorption exemption language. While we understand the difficult financial decisions California and DHCS must make and appreciate the department's commitment to providing quality care for Medi-Cal patients, we feel it would be a great misfortune for kidney patients if they were excluded from the oral nutritional supplement exemption language in California Welfare and Institutions Code Section 14132 (ab)(3). Allowing kidney and dialysis patients to be included in the exemption to the oral nutritional supplement restriction makes sense not only for the health and well-being of Medi-Cal patients, but for the state and DHCS as well. This exemption will help prevent more costly hospitalizations and the need for long-term care facilities, reducing long-term health care costs for the State

Thank you for your commitment to the health of Medi-Cal patients and for taking into consideration the unique needs of patients with kidney disease. We would greatly appreciate further clarification on this important matter and look forward to your response.

Sincerely,



Hrant Jamgochian
Executive Director