

**Executive Session Minutes of the
Maryland Commission on Kidney Disease
July 28, 2011
4201 Patterson Avenue
Room 108-109
Baltimore, Maryland**

Upon motion made, Luis Gimenez, MD, Chairman called the meeting to order at 3:50 p.m.

The Meeting was held under the authority of Sections 10-508(a)(1), (7), and (13) of the State Government Article.

In attendance, in addition to Dr. Gimenez were Commissioners Dr. Bernard Jaar, Dr. Edward Kraus, Dr. Paul Light, Dr. Matthew Weir, Dr. Kulwant Modi, Margery Pozefsky, Bill Frederick, RN and Kim Sylvester, RN.

Eva Schwartz, Executive Director and Donna Adcock, RN, Surveyor attended representing Commission staff.

Also attending was Leslie Schulman, Commission Counsel.

Barbara Fagan, Program Manager and Pat Okin, RN, Surveyor from DHMH's Office of Health Care Quality were also in attendance as Commission invited Guests during the discussion of Items 3, 4 and 5.

Item One

The Commission was briefed by Commission Counsel on the Open Meetings Act. Ms. Schulman reviewed with the Commission its past practices, and provided advice as to how to institute corrective action with regard to executive minutes and the scope of topics permitted to be discussed in closed sessions.

Item Two

The Commission discussed personnel matters, and considered delegating some of the staff's responsibilities to the Commissioners on a rotating basis during the period of the Executive Director's leave of absence.

Item Three

The Commission was briefed by staff on a pending investigation stemming from a written complaint by a patient's nephrologist concerning patient care at a dialysis facility.

Item Four

The Commission was updated on two pending investigations concerning the involuntary discharge of two individual patients at two dialysis facilities. The investigations stem from verbal complaints lodged by the social worker at each respective facility; one related to non-payment of fees, and one related to noncompliance with the treatment plan ordered by the patient's nephrologist.

Item Five

The Commission was briefed by staff on pending investigations particularly related to survey deficiencies found at each of the dialysis facilities surveyed during the past quarter.

The Executive Session was adjourned at 5:15 p.m.