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3 Title: Medicaid Dialysis Policy for Undocumented Patients
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5 Introduced by: David Whalen, MD, for the Kent County Delegation
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7 Original Authors: Michelle Condon, MD, FACP, and David Whalen, MD
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9 Referred To: Reference Committee A
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11 House Action: **APPROVED**
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14 Whereas, in most states undocumented migrants with end stage kidney disease (ESKD) are
15 ineligible for public assistance and rely on sessions of emergency dialysis when symptoms become
16 intolerable, and
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18 Whereas, in most states, undocumented migrants access to care is limited to safety-net
19 providers, including hospital Emergency Departments (EDs) that are required to provide emergency
20 care under federal Emergency Medical Treatment and Labor Act (EMTALA), and then have to wait
21 until their symptoms qualify for ED admission for care to be reimbursed by emergency Medicaid
22 program funding, and
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24 Whereas, the five year mortality rate on emergency dialysis is 14 times higher than standard
25 care, and costs up to \$400,000 per patient annually compared to \$100,000 in the outpatient setting,
26 and
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28 Whereas, undocumented ESKD patients are often younger with fewer comorbidities than
29 other ESKD patients, making them often ideal candidates for transplantation, but usually they
30 cannot qualify due to lack of insurance to cover the high cost of immunosuppressive therapy, and
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32 Whereas, caring for these patients exerts a toll on physicians resulting in signs of burnout
33 stemming from the feeling that they were being forced to provide substandard care, and
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35 Whereas, undocumented patients can purchase commercial plans at full price due to a
36 provision in the Affordable Care Act (ACA) forbidding companies from denying coverage based on
37 preexisting conditions, and
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39 Whereas, some states have allowed patients to automatically qualify for outpatient dialysis
40 care after presenting to a hospital; therefore be it
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42 RESOLVED: That MSMS ask the State of Michigan to develop a dialysis policy for
43 undocumented patients with end stage kidney disease as an emergency condition covered under
44 Medicaid; and be it further
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46 RESOLVED: That the Michigan Delegation to the American Medical Association (AMA) ask
47 the AMA to work with the Center for Medicare and Medicaid Services and other state Medicaid
48 programs to develop a dialysis policy for undocumented patients with end stage kidney disease as
49 an emergency condition covered under Medicaid.

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52 WAYS AND MEANS COMMITTEE FISCAL NOTE: Resolutions requesting governmental advocacy -
53 \$25,000+

STATEMENT OF URGENCY: This is a timely issue that should be addressed promptly for physicians and underserved, low-income patients. It is an access-to-care issue for many patients.

Relevant MSMS Policy:

None

Relevant AMA Policy:

None