



National
Kidney
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January 26, 2021

The Honorable Kathy J. Byron
Commerce and Energy Committee
900 East Main Street
Richmond, VA 23219

The Honorable Terry G. Kilgore
Commerce and Energy Committee
900 East Main Street
Richmond, VA 23219

Dear Chairwoman Byron and Vice Chairman Kilgore,

Hello and thank you for the opportunity to provide comments to the House Commerce and Energy Committee in support of the Living Donor Protection Act, HB421. My name is Kent Winter, a resident of Midlothian, Virginia, and I am forever grateful to Jason Hasty, who was my living kidney donor and saved my life. I am also writing today as a Board Member of the National Kidney Foundation of Virginia, and for my living donor Jason, and for countless others that have made that choice to be a living donor. But more importantly, for those prospective living donors out there on the horizon.

In May of 2006, at 32 years of age, I was diagnosed with Stage 4 Chronic Kidney Disease (CKD). For ten years, I continually was treated by a nephrologist and followed the diet & exercise regime that was put before me. I was told at the time, that should I stick to the program outlined for me, the likelihood that I would need to go on dialysis or have a kidney transplant would not have to take place until I reached my late 50's or early 60's. However, that all came to a screeching halt on December 6, 2016. That was the day that I sustained total kidney failure and was merely 8 hours away from being dead. That is only one example of why CKD is often referred to as "The silent killer". Ninety percent (90%) of those that come down with CKD never even knew they had it.

One out of three Americans will sustain some form of kidney disease in their lifetime. CKD kills more people in the United States than breast and prostate cancer combined. Virginia alone has more than 128,000 Medicare patients with kidney disease, of which more than 11,000 of them are on dialysis, and 2,308 are waiting for a kidney transplant. In 2021, **41,354 organ transplants** were performed in the United States, an increase of 5.9 percent over 2020 and the first time the annual total exceeded 40,000, according to preliminary data from United Network for Organ Sharing (UNOS). Of the 41,354 transplants in the United States, 25,489, or **60% were kidney transplants**. However, of the 25,489 kidney transplants in the United States last year, **only 5,970, or 23% were from living donors**. In Virginia alone, 170 of the 684 kidney transplants (25%) were from living donors. We need to do more to remove barriers to organ donation to help those who want to save another's life, and are not penalized or prevented from doing so.

Of all the organ transplants, the kidney is the most transplanted organ in the United States. In fact, roughly 83% of patients on the national transplant list are waiting for a kidney. The average wait for a kidney is typically 3-5 years or even longer depending on what geographical area you live in the United States. Patients, like myself, seeking a transplant talk to their family, friends, colleagues, and even total strangers on the street or online. I had handed out my information to thousands of people, but I was fortunate that my donor Jason Hasty was willing and able to donate. However, to do so, he had to go through extensive testing that took months. Living donors are in better health than your average American. Organ donation is safe to donors, and they go on to live long, healthy and productive lives.



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However, sometimes donors get hit by “penalties” after donation. In this case, some face discrimination in obtaining insurance, including life, long-term care, and disability insurance.

Per UNOS, a little more than half of American adults (169 million) are on the organ donor registry. We should be encouraging living organ donation, not discouraging it. We need to protect donors from future harm. People like my donor Jason, decided to give the gift of life to me, and by doing so he shouldn't have to worry about being penalized or discriminated against for doing so. That was the biggest gift of humanity I can imagine someone giving to another human.

This bill will not only help protect organ donors and improve the lives of kidney patients receiving donations, but also help save the healthcare system. While I was on dialysis for 33 months, the total cost of my monthly dialysis clinical labs, dialysis chemicals, lines, bandages, tape, gauze, and antibacterial cream during that entire period equated to \$2,838,000.00 or \$86,000 per month. This cost doesn't even consider the monthly prescription drugs needed during dialysis. Those costs for me would've been roughly \$8,000 per month (\$264,000 for 33 months) had I not had insurance. From the viewpoint of society, the net benefit from saving thousands of lives each year and reducing the suffering of 100,000 more receiving dialysis would be about \$46 billion per year, with the benefits exceeding the costs by a factor of 3. In addition, it would save U.S. taxpayers about \$12 billion each year.

This bill would prohibit discrimination against living organ donors based solely on their status as an organ donor. Virginia has shown itself to be very supportive of organ donation as sixty percent (60%) of Virginians have registered to be an organ donor. Virginia has passed into law a tax deduction to assist donors in recouping expenses related to donation. Virginia also offers state employees paid leave. Let's not stop there.

I request you continue this by supporting HB421. Tell potential donors in Virginia that you want to protect them and saving the life of a Virginian shouldn't cause them to worry about their future. Living organ donors should not be penalized for their altruistic act to help a friend, family member, or a stranger in need.

Best Regards

Kent W. Winter

Kent W. Winter
Board Member & Living Donor Kidney Recipient
National Kidney Foundation

CC: Members of the Commerce and Energy Committee