

January 27, 2021

The Honorable Kathy Byron, Chair
The Honorable Terry Kilgore, Vice Chair
Virginia House of Delegates
900 East Main Street
Richmond, Virginia 23219

RE: House Bill 421, the Living Donor Protection Act (Delaney) – SUPPORT

Dear Chairwoman Byron, Vice Chair Kilgore, and members of the committee:

On behalf of all the people we serve in Virginia, including the 20,215 residents currently living with End-Stage-Renal Disease (ESRD) we are writing to **request that you support HB 421, the Living Donor Protection Act. This important bill would prohibit insurance companies from discriminating against people based on their status as an organ donor.**

The American Kidney Fund (AKF) is the nation’s leading nonprofit organization working on behalf of the 37 million Americans living with kidney disease, and the millions more at risk, with an unmatched scope of programs that support people wherever they are in their fight against kidney disease, from prevention through transplant. With programs that address early detection, disease management, financial assistance, clinical research, innovation and advocacy, no kidney organization impacts more lives than AKF. We are also one of the nation’s top-rated nonprofits, investing 97 cents of every donated dollar in programs, AKF has also received the highest 4-Star rating from Charity Navigator for 18 consecutive years, as well as the Platinum Seal of Transparency from Guidestar.

While most transplanted organs are from deceased donors, patients may also receive organs from living donors. Living donation offers an alternative for individuals awaiting transplantation from a deceased donor and increases the existing organ supply. Over 6,000 living-donor transplants were performed last year in the United States. Kidneys are the most common organ transplanted from living donors, followed by liver and lung. Both living and deceased donation offer hope to nearly 110,000 people waiting for an organ transplant right now—including more than 95,000 who are waiting for a kidney transplant. **In addition to transforming the life of the kidney patient, a transplant is a boon to society. The cost of a transplant is lower than long-term kidney dialysis, and it gives the transplant recipient a greater ability to remain in or return to the workforce.**

Unfortunately, studies have shown that people who donate organs experience discrimination by insurance companies solely based on their status as an organ donor. For example, an NIH study¹ demonstrated that a high proportion of kidney donors had difficulty changing or initiating insurance, particularly life insurance.² The study concluded that “[t]hese practices by insurers

¹ Boyarsky BJ, Massie AB, Alejo JL, et al. Experiences obtaining insurance after live kidney donation. *Am J Transplant.* 2014;14(9):2168-72. Can be found at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4194161/>

² *Id.*

create unnecessary burdens and stress for those choosing to donate and could negatively impact the likelihood of live kidney donation among those considering donation.”³ Further, extensive research has demonstrated that people who donate a kidney are likely to live just as long as similarly healthy people who have both kidneys.⁴

We believe that providing incentives and removing financial burdens for living donors can lead to an increase in organ donations. For these reasons, **we are hopeful for your support for this and any future legislation that could help improve the lives of those fighting kidney disease.**

Thank you again for your leadership and for your consideration of this important issue.

Sincerely,

Melanie Lynn Lendnal

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³ *Id.*

⁴ Segev DL, Muzaale AD, Caffo BS, et al. Perioperative Mortality and Long-term Survival Following Live Kidney Donation. *JAMA*. 2010;303(10):959–966. doi:10.1001/jama.2010.237. *Can be found at:* <https://jamanetwork.com/journals/jama/fullarticle/185508>