



November 11, 2025

Representative Don Bacon

U.S. House of Representatives
2104 Rayburn House Office Building
Washington, DC 20515

Representative Jerrold Nadler

U.S. House of Representatives
2132 Rayburn House Office Building
Washington, DC 20515

Subject: AAKP, ASTS, AST Endorsement – *Living Donor Protection Act of 2025 (H.R. 4582 and H.R. 4583)*

As leading, independent, national organizations representing patients, organ donors and their families, transplant surgeons and physicians, and transplant health professionals, the American Association of Kidney Patients (AAKP), the American Society of Transplant Surgeons (ASTS), and the American Society of Transplantation (AST) stand united in applauding Senators Tom Cotton (R-AR) and Kirsten Gillibrand (D-NY), along with Representatives Don Bacon (R-NE) and Jerrold Nadler (D-NY), for their bipartisan leadership in reintroducing the *Living Donor Protection Act of 2025* (S. 1552 / H.R. 4582 and H.R. 4583) in the 119th Congress.

This bipartisan legislation protects living organ donors by prohibiting discrimination in life, disability, and long-term care insurance. Further, the legislation ensures that living donation is covered under the Family and Medical Leave Act (FMLA), which is fully consistent with original Congressional intent for FMLA as well as the 2018 U.S. Department of Labor decision to extend FMLA to much, but not all, of the American workforce. The House version is a two-bill package which, taken together, is identical to legislation introduced in previous sessions. The legislation protects living donors from discrimination, preserves their job security, and educates Americans about their rights as organ donors. Just as importantly, from the standpoint of American taxpayers, the legislation received a \$0 preliminary score from the Congressional Budget Office (CBO) in 2024.

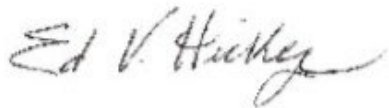
The Living Donor Protection Act of 2025 represents a substantive and meaningful consensus among patients and organ donor advocacy organizations, the private sector insurance industry (the American Council of Life Insurance – ACLI) and transplant providers. The legislation is a true, comprehensive, patient and donor centered approach to reducing a well-known barrier to increased organ donation and expanded transplant opportunities. The bill prohibits life, disability, and long-term care insurers from limiting coverage for individuals who are living donors and contains clear language preventing insurers from making coverage or payment decisions based solely on a person's status as a living donor, absent any specific insurance risk.

Currently, 106,877 Americans are on the national transplant waiting list, including 2,285 children. However, there were just 7,034 living organ donors and 16,989 deceased organ donors in 2024. As a result of this critical shortage, 17 Americans die each day while waiting for an organ transplant. Living donation offers patients the ability to bypass the deceased donor waiting list, which can stretch five years or longer, giving them their best chance for long-term health and survival. Almost 25 percent of living donors report experiencing discrimination in access to life, disability, or long-term care insurance following donation, and 96 percent of living kidney donors report some form of financial hardship. These

barriers are powerful disincentives to donation and must be removed if we are to increase the number of transplants and save lives.

We firmly believe that no citizen should face discrimination or hidden penalties, and no donor should risk their job security, career, or access to life, health, and disability insurance for the selfless decision to become a living organ donor. We are encouraged by the bipartisan commitment demonstrated through the reintroduction of the *Living Donor Protection Act of 2025* and urge Members of Congress to support swift passage of this important legislation. Enacting this legislation will help ensure that living donors are treated fairly, remove barriers to donation, and allow more patients to receive the life-saving transplants they need.


Sincerely,



Edward V. Hickey, III
President, American Association of Kidney Patients



James F. Markmann, MD, PhD
President, American Society of Transplant Surgeons



David Foley, MD, FACS, FAST, FAASLD
President, American Society of Transplantation