



## *Nonprofit Kidney Care Alliance*

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March 5, 2021

The Honorable Kirsten Gillibrand  
478 Russell Senate Office Building  
Washington, DC 20510

The Honorable Tom Cotton  
326 Russell Senate Office Building  
Washington, DC 20510

Dear Senator Gillibrand and Senator Cotton:

On behalf of the Nonprofit Kidney Care Alliance (NKCA), we write to commend you for your reintroduction and continued support of the Living Donor Protection Act (S. 377). We believe this bipartisan legislation would provide necessary protection and assistance to individuals who wish to become living donors for the over 108,000 people on waiting lists for organs, 91,000 of whom are in need of a kidney.

NKCA represents eight nonprofit dialysis providers: Centers for Dialysis Care; Central Florida Kidney Centers; Dialysis Center of Lincoln; Dialysis Clinic, Inc.; Independent Dialysis Foundation, Inc.; Northwest Kidney Centers; Puget Sound Kidney Centers; and The Rogosin Institute. Collectively, we serve more than 22,500 patients at 326 facilities in 32 states. In an effort to keep patients off dialysis, we also serve more than 10,000 patients with chronic kidney disease (CKD), with the goal of avoiding, or at least delaying, the onset of end-stage renal (ESRD) and maximizing the quality of life for our patients. We believe that by counseling patients earlier regarding their treatment options, patients will get on the transplant wait list sooner and are more likely to receive a pre-emptive transplant. This allows additional time to have discussions with friends and family members to increase the likelihood of a living donation.

Passing this legislation would eliminate some of the barriers to living donation that currently exist by improving access to insurance and continued insurability among living donors, allowing employee leave under the Family and Medical Leave Act (FMLA) and raising awareness on living organ donation. As NKCA continues to advocate for policies and payment models that incentivize and encourage transplantation, it is critical that we also seek to eliminate these existing barriers. This legislation provides a significant step towards increasing living donor transplant rates.

In 2018, the Department of Labor (DOL) released an opinion clarifying that an organ donation can qualify as an impairment or physical condition that is a serious health condition under the FMLA. This was a welcome interpretation and we believe this legislation will go further to ensure this qualification is upheld in statute.

We appreciate your leadership on this issue to increase awareness and provide support for living organ donation and stand ready to further these efforts. If you have any questions, please feel free to contact me at 202-580-7707 or [info@nonprofitkidneycare.org](mailto:info@nonprofitkidneycare.org).

Sincerely,

A handwritten signature in blue ink that reads "Martin Corry". The signature is written in a cursive style with a long, sweeping tail on the letter "y".

Martin Corry  
Executive Director