The Living Donor Protection Act

**Issue:** Many individuals have experienced higher premiums or denial of coverage insurance based solely on their status as a living organ donor. Additionally, there is no federal protection to ensure that organ donors don’t lose their jobs for taking time off for the transplant surgery and recovery. Fear of lack of insurance protection, higher premiums, and loss of job are barriers for someone who wants to donate an organ.

**Background:** Kidneys can be donated by a living individual in good health. The wait list for a kidney transplant is long and many individuals will die before ever receiving a kidney transplant. There are over 100,000 people waiting to receive a kidney transplant. In 2015, nearly 18,000 kidney transplants were performed, one-third of which were made possible by living donors. Living donors make a substantial contribution to increasing the number of transplants performed each year.

The risks of living kidney donation are minimal and while long-term effects on donors need further study, most kidney donors go on to live normal healthy lives after organ donation. There is no medical evidence to suggest that insurance companies are at increased financial risk for covering living donors and therefore companies should not charge higher premiums nor deny or limit coverage just because an individual has donated an organ.

**Request:** Cosponsor and help pass legislation to protect the rights of living donors and remove barriers to organ donation. The Living Donor Protection Act will protect living organ donors and remove barriers to donation by prohibiting insurance companies from denying or limiting life, disability and long term care insurance to living donors, and from charging higher premiums. The bill clarifies that living organ donors may use time granted through the Family and Medical Leave Act (FMLA) to recover from donation.