



NATIONAL KIDNEY  
FOUNDATION.



### ***The Living Donor Protection Act (S. 377/H.R. 1255)***

Every day, 17 patients die on the transplant waitlist; 12 of them were waiting for a kidney. Of the over 100,000 patients on the wait list, only 22,817 received a kidney transplant in 2020. Patients wait an average of 3-5 years for a kidney transplant, but in some states the wait can be as long as 10 years.

Transplant is the gold standard of care for kidney failure. It improves patient quality of life and extends life expectancy while also costing Medicare less than long-term dialysis. A transplant from a living donor has the best chance for long-term success.

Unfortunately, almost a quarter of living donors report discrimination in the rates and provision of life insurance, disability insurance, and long-term care insurance. Living donors complete a detailed health screening ensuring they are healthy enough to donate and live healthy lives post-donation and yet still face difficulty obtaining insurance.

This bill would not only prohibit discrimination against living donors obtaining life, disability, and long-term care insurance, but also clarify that donors are eligible for unpaid time off from work via the Family Medical Leave Act to complete their donation and recovery. This provision would codify an August 2018 opinion letter issued by the U.S. Department of Labor addressing living donation.

This bill is sponsored by Senators Kirsten Gillibrand (D-NY) and Tom Cotton (R-AR) and by Congressman Jerry Nadler (D-NY) and Congresswoman Jaime Herrera Beutler (R-WA). It is supported by the American Council of Life Insurers and a wide array of kidney and transplant organizations. Identical legislation in the 116th Congress was cosponsored by 100 Representatives and 26 Senators, and we are confident of obtaining even more bipartisan support for this year's legislation.

Please contact Lauren Drew ([lauren.drew@kidney.org](mailto:lauren.drew@kidney.org)) with any questions about this bill or other NKF priorities.