



The Living Donor Protection Act

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 transplant wait list, only 25,499 received a kidney transplant in 2022. Of those over 25,000 kidney transplants, only 5,863 of them came from living donors. 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 or maintaining 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.

The Living Donor Protection Act is supported by the American Council of Life Insurers and a wide array of kidney and transplant organizations. Previous legislation in the 117th Congress was cosponsored by 161 Representatives and 44 Senators, and we are urging Congress to pass this non-controversial, bipartisan, cost-neutral bill this year.

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