



## **The Living Donor Protection Act (S. 1552)**

The American Nephrology Nurses Association (ANNA) is a nonprofit organization representing registered nurses and other healthcare professionals at all levels of practice. ANNA members work in settings such as chronic kidney disease management, peritoneal dialysis, hemodialysis, continuous renal replacement therapy, transplantation, industry, and government/regulatory agencies.

### **Background on the Issue**

Living donations save lives by providing faster access to transplants and bypassing the ever-growing wait list for a deceased donor, which can stretch five years or more. For many patients, it's the only path to timely care and their best chance for long-term transplant success.

In 2024, nearly 90,000 Americans were waiting for a kidney transplant, yet fewer than one-third received one. Living donors could help close that gap—but nearly one in four report facing discrimination when applying for life, disability, or long-term care insurance. Despite undergoing rigorous health screenings, living donors still face difficulty obtaining or maintaining insurance. These barriers are enough to deter many eligible individuals from donating and delay access to life-saving care for patients in urgent need.

### **Overview of the Legislation**

The *Living Donor Protection Act* was reintroduced by Senators Kirsten Gillibrand (D-NY) and Tom Cotton (R-AR) in the Senate. This bipartisan legislation would protect living organ donors and promote organ donation by:

- Removing barriers to living organ donation by prohibiting certain discrimination in insurance and codifying protection for living donors under the Family and Medical Leave Act (FMLA).
- Prohibiting discrimination in the issuance, price, or benefit levels for life, disability, and long-term care insurance due solely to the individual's status as a living donor.
- Codifying a 2018 opinion letter issued by the U.S. Department of Labor that includes living donation as a serious medical condition under the FMLA, allowing donors to take time off work for organ donation without fear of reprisal.
- Directing the Department of Health and Human Services to update its educational materials related living organ donation.

**Recommendation:** ANNA supports the *Living Donor Protection Act* (S. 1552) and encourages Members of Congress to cosponsor the legislation.