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September 19, 2016

The Honorable Todd Young  
U.S. House of Representatives  
1007 Longworth House Office Building  
Washington, DC 20515

The Honorable Earl Blumenauer  
U.S. House of Representatives  
1111 Longworth House Office Building  
Washington, DC 20515

**RE: Dialysis Patients Demonstration Act of 2016 (H.R. 5942) – Capitated Arrangements Threaten ESRD Patients' Access to Transplant**

Dear Representatives Young and Blumenauer,

We are writing on behalf of the American Society of Transplant Surgeons (ASTS), the American Society of Transplantation, and the American Association of Kidney Patients (AAKP) and the over 30,000 patients with End Stage Renal Disease (ESRD) referred by dialysis providers for kidney transplant annually to urgently express our strong opposition to the Dialysis Patient Demonstration Act of 2016 (H.R. 5942) that passed out of the House Ways and Means committee on September 8, 2016. As it is currently written, this bill needs considerably more analysis of how the financial incentives for dialysis would impact patients before contemplating House floor action. The legislation is not supported by all the critical constituencies, and it has pitted various patient groups against one another and has not answered the very serious concerns of the transplant community.

While we applaud initiatives designed to incentivize innovative and efficient quality, our organizations have serious concerns that passage of this legislation will result in serious, unintended consequences for potential transplant recipients. As written, the legislation would threaten the established system of providing ESRD patients who are managed by dialysis centers access to transplant by directly incentivizing dialysis without ensuring that patients are appropriately referred to transplantation.

Transplantation is the life-saving **and** cost-saving option over chronic dialysis for the majority of patients with ESRD. The goal for patients who are good candidates for transplantation should be to move them off dialysis, rather than encourage dialysis providers to keep them on dialysis. We have previously outlined our concerns to you in an issue brief and reiterate the need for revision of the legislation that would recognize the impact on transplantation, seeking to balance incentives for the dialysis and transplant communities with the goal of preserving and improving access to kidney transplantation.

We have a responsibility not only to patients under our care, but to those future patients who would be best served by transplantation. We thus welcome the opportunity to work with you to achieve the goal of efficient ESRD care while maintaining a pathway for the less costly and life-preserving option of kidney transplantation for patients suffering from ESRD.

As such, we ask that you postpone this Bill's hurried rush to the House floor. Thank you for your commitment to dialysis patients and those who are fortunate enough to move off dialysis to transplant.

Sincerely,



Timothy L. Pruett, MD  
President  
ASTS



Anil Chandraker, MD  
President  
AST



Paul T. Conway  
President  
AAKP

CC: Senator Dean Heller  
Senator Bill Nelson  
Speaker Paul Ryan  
Minority Leader Nancy Pelosi  
Majority Leader Kevin McCarthy  
Democratic Whip Steny Hoyer