



July 17, 2020

The Honorable Mitch McConnell
Majority Leader
United States Senate

The Honorable Charles Schumer
Minority Leader
United States Senate

The Honorable Charles Grassley
Chairman
Finance Committee
United States Senate

The Honorable Ron Wyden
Ranking Member
Finance Committee
United States Senate

RE: AST, ASTS & AAKP Request Swift Passage of S. 3353, the Comprehensive Drug Coverage for Kidney Transplant Patients Act, During the 116th Congress

Dear Majority Leader McConnell, Minority Leader Schumer, Chairman Grassley and Ranking Member Wyden:

The American Society of Transplantation (AST), American Society of Transplant Surgeons (ASTS), and the American Association of Kidney Patients (AAKP), and our combined memberships – representing the majority of our nation’s medical transplant professionals and the largest number of kidney transplant patients and kidney donor families – respectfully request the swift advancement and passage of S. 3353, the Comprehensive Drug Coverage for Kidney Transplant Patients Act. As long-standing supporters of this long-delayed legislation, we believe now is the very best opportunity to move this legislation and we request that the Senate take action to pass it in the 116th Congress.

This critical legislation, introduced by Senators Cassidy (R-LA), Ernst (R-IA), Whitehouse (D-RI), Shaheen (D-NH), and Young (R-IN) would remove the current restrictions that limit some Medicare transplant recipients to 36 months of immunosuppressive medications that are necessary to maintain and preserve their life-sustaining transplant function. This legislation has taken on an increased level of importance during the COVID-19 pandemic. As you know, organ transplant patients are a very vulnerable patient population and were recently added to the most at-risk classification list by the Centers for Disease Control.

Please note too that the Congressional Budget Office (CBO) recently indicated that S.3353 could result in savings of \$70 million over a ten-year period. Removal of the arbitrary limitation for immunosuppressive drug coverage makes financial sense, for sure, but the unnecessary human toll as a result of the current 36-month coverage limitation remains tragic and unconscionable to organ donors and their families, donor recipients, and those awaiting transplantation. It certainly does not make sense for the


Medicare program to incur the unnecessary cost of treating these patients with dialysis or paying for the high cost of re-transplantation in patients who have rejected their kidneys because of an inability to obtain essential immunosuppressive medications three years after transplantation.

Correcting the current gap in immunosuppressive coverage policy will save lives and save transplanted kidneys so that others on the waiting list have a better opportunity to receive these scarce organs. The legislation could also serve the important purpose of motivating more potential living donors to “donate the gift of life.”

AST, ASTS, AAKP and the patient community are grateful for your longtime leadership and steadfast bipartisan support of the organ transplant community and hope that you will help patients by advancing this legislation in the Senate this session. We look forward to working with you and your staff to advance and pass S. 3353, the Comprehensive Drug Coverage for Kidney Transplant Patients Act.

For further information, contact Bill Applegate at bill.applegate@bclplaw.com, Diana Clynes at dclynes@aakp.org, or Peggy Tighe at Peggy.Tighe@PowersLaw.com.

Sincerely,



Richard Formica, MD
President
American Society of Transplantation



Marwan Abouljoud, MD
President
American Society of Transplant Surgeons



Richard Knight
President
American Association of Kidney Patients

CC: Senators Cassidy and Durbin
Senate Finance Committee