



The Ohio House of Representatives
House Insurance Committee
Representative Tom Brinkman, Chair

HB 188
PROPONENT WRITTEN TESTIMONY

Chair Brinkman, Vice-Chair Lampton, Ranking Member Miranda, and members of the House Insurance Committee, thank you for the opportunity to provide written testimony in regard to House Bill 188 (“HB 188”), which protects living organ donors from insurance discrimination based solely on their status as an organ donor.

University Hospitals (“UH”) is a Cleveland-based super-regional health system that serves more than 1.2 million patients in 16 Northeast Ohio counties with over 30,000 caregivers. The hub of our 22-hospital system is University Hospitals Cleveland Medical Center, a 1,032-bed academic medical center known for advanced care. Included on UH’s main campus are University Hospitals Rainbow Babies & Children’s Hospital, among the nation’s best children’s hospitals; and University Hospitals Seidman Cancer Center, part of National Cancer Institute-designated Case Comprehensive Cancer Center at Case Western Reserve University (the nation’s highest designation). UH strives to strengthen the health care needs of our community by providing outstanding service, the highest quality physicians and nurses, and using innovative techniques. UH has been and continues to be a leader in organ transplantation. UH performed its first transplant back in 1968. Since then, we have performed over 900 living donor transplants.

Organ donation saves thousands of lives every year, but roadblocks remain that stop individuals from becoming living donors. According to a 2014 study in the *American Journal of Transplantation*, as many as 27% of living organ donors experience difficulty securing or paying for insurance after their procedures because of discriminatory practices. Without HB 188, living organ donors may experience higher premiums or even denial of insurance coverage, all due to their organ donation. It is important to encourage individuals to make the choice of giving life, and the lack of insurance protection and higher premiums are barriers for those wanting to donate lifesaving organs.

Living donor transplants are less risky and, on the whole, result in better outcomes. Improving organ access to patients awaiting transplant is beneficial for the healthcare delivery system and taxpayer. In terms of better outcomes, the Scientific Registry of Transplant Recipients (“SRTR”) reports outcomes for patient and organ survival. Here is recently available data for kidney transplants, which is the most commonly transplanted living donor organ, and the difference in patient and graft (organ) survival is pronounced¹:

- Adult 3 year *organ survival* with functioning **deceased donor** graft in the U.S.: **87.51%**
- Adult 3 year *organ survival* with functioning **living donor** graft in the U.S.: **94.42%**

- Adult 3 year *patient survival* with **deceased donor** in the U.S.: **92.54%**
- Adult 3 year *patient survival* with **living donor** in the U.S.: **96.99%**

¹ <https://www.srtr.org/reports/about-srtr-reports/>

Not only does an individual greatly improve their quality of life as a result of transplant, but the cost to Medicare and other payers would significantly decrease because a patient would no longer need to endure constant life sustaining treatment such as dialysis.

Transplant-suitable organs are in short supply, and this legislation would encourage more organ donors to step forward by protecting them from things like higher premiums, or worse yet, the denial of insurance coverage. HB 188 would also help to ensure that donating to save a life of an Ohioan does not cause economic hardship due to insurance discrimination. Under HB 188, insurance companies will be prohibited from denying or limiting disability, life insurance, and long-term care insurance to living donors. It would also prohibit charging higher premiums based solely on the status of being a living organ donor.

Additionally, UH Rainbow being a flagship center for children in Ohio, it is important to note that HB 188 will greatly benefit children. As organ transplantation becomes an increasingly utilized form of treatment for diseases in children, the availability of donors is critical to ensuring these treatments will be available. HB 188 helps to ensure that children who need a transplant have access to a donor by removing the disincentive of insurance discrimination, thereby allowing more people to become life-saving donors. Also, HB 188 will protect those children who choose to be living donors from discriminatory health coverage throughout their life.

When an organ donor decides to donate one of their organs to someone else, they are making one of the most selfless, difficult decisions anyone could ever make. We urge you to support HB 188 to help ensure that Ohio protects living organ donors from being penalized by insurance companies. HB 188 will encourage many more individuals to become organ donors as well as give living organ donors the protection they deserve for saving a life.

Thank you Chair Brinkman, Vice-Chair Lampton, Ranking Member Miranda, and members of the House Insurance Committee for this opportunity to provide feedback on this important legislation.

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