



November 15, 2019

Support the Organ Procurement Optimization Act, S. 2063

On behalf of FreedomWorks' activist community, I urge you to contact your senators and ask them to cosponsor the Organ Procurement Optimization Act, S. 2063. Introduced by Sen. Todd Young (R-Ind.) and Sen. Michael Bennet (D-Colo.), the Organ Procurement Optimization Act would require organ procurement organizations (OPOs) to use performance metrics that are objective, verifiable, and not subject to OPO interpretation.

Every year, more than 113,000 Americans die while waiting for an organ transplant. Every month, roughly 1,000 Americans are removed from transplant waiting lists because they have either passed away or become too sick to qualify for a transplant. Every day, 20 people die while sitting on a transplant waiting list, and every 10 minutes another person is added to those lists.

The organizations with sole responsibility for overseeing the nation's organ transplantation program are the 58 separate OPOs spread throughout the country. Each of these organizations has a total geographic monopoly on organ procurement within their designated zone. For example, LifeShare Transplant Donor Services of Oklahoma retains the sole license to procure organs within the state of Oklahoma. OPOs are overseen by the Centers for Medicare and Medicaid Services (CMS). CMS periodically reviews OPO performance to determine whether or not to recertify the organization.

For the last 20 years, CMS has been asleep at the wheel. Despite serious underperformance, breaches of the public trust, and corrupt management, no OPO has ever been decertified. Independent research from the Bridgespan Group has demonstrated that numerous OPOs only recover one out of every three eligible organs. Some states, like Kentucky and South Carolina, only manage to recover 25 percent of eligible organs. Even so, CMS has failed to take punitive action against these organizations.

Government monopolies inevitably result in inefficiencies. The fact that the federal government

has determined to give singular control over such an important part of our healthcare system to unelected bureaucrats is bad enough. The fact that CMS has failed in its most basic oversight role is much worse. As a direct result of CMS' negligence in properly reviewing OPO performance, countless Americans have died. How many more will be left out in the cold while Congress neglects its duty to these Americans? How many more will die waiting for CMS to do what's right?

Fortunately, S. 2063 seeks to tackle OPO inefficiency head-on. By requiring CMS to use standardized, objective, and verifiable metrics in their performance review of OPOs would close the primary loophole by which OPOs have so consistently escaped criticism.

Rather than relying on independent investigators or standardized, objective statistics, OPOs are responsible for nearly all their own reporting. As such, OPOs have consistently fudged their numbers to comply with CMS requirements. Under the new rules outlined in the bill, CMS and independent organizations would finally be able to compare apples to apples and get a true accounting of OPO activities.

Experts have estimated that reforming the organ procurement process in this way, specifically with regards to kidneys, could save as much as \$12 billion over 5 years in dialysis costs alone. Furthermore, holding OPOs accountable for their actions could result in as many as 28,000 more organs being procured every year. That means 28,000 more Americans could be given a second lease on life if OPOs were properly overseen.

While it is improbable to expect perfection from OPOs, for too long they have gotten away with doing less than the bare minimum. Any life lost while waiting for an organ transplant is one loss too many. OPOs should not be allowed to get away with their current corrupt practices while Americans languish in hospitals praying that their OPO might actually do their job.

For these reasons, I urge you to contact your senators and strongly encourage them to cosponsor the Organ Procurement Optimization Act, S. 2063, to bring meaningful accountability and transparency to the organ procurement process by reforming the performance metrics of OPOs.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Brandon', with a stylized, flowing script.

Adam Brandon
President, FreedomWorks