

By Senator Smith

29-03619A-12

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Senate Concurrent Resolution

A concurrent resolution to the Congress of the United States, urging Congress to pass the Share Your Spare Act, H.R. 2755, and the Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act, H.R. 2969 and S. 1454.

WHEREAS, kidney transplantation is superior to dialysis for improving patient survival rates and quality of life in patients who have end-stage renal disease, and immunosuppressive medications play an integral role in decreasing the rate at which a transplant recipient's body rejects the transplanted organ, and

WHEREAS, without these immunosuppressive medications, the transplanted organ can be rejected within days or weeks, threatening a person's life and dramatically increasing overall health care spending, and

WHEREAS, in an article published in the February 1, 2012, issue of the New England Journal of Medicine, physicians John S. Gill and Marcello Tonelli report that premature transplant failure is the fifth leading cause of initiation of dialysis in the United States, with about one in four patients whose transplants fail dying within 2 years after returning to dialysis, and

WHEREAS, the article goes on to state that this outcome is worse than the 2-year mortality rate among patients who have a functioning transplant from a deceased donor (6 percent) and still worse than that among age-matched dialysis patients who have never received a transplant (20 percent), and

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30 WHEREAS, the 2011 annual report from the United States  
31 Renal Data System shows that Medicare spends an average of  
32 \$82,285 per person, per year, on hemodialysis patients and  
33 \$61,588 per person, per year, on peritoneal dialysis patients,  
34 and covers these costs indefinitely, and

35 WHEREAS, the American Transplant Foundation reports that  
36 Medicare spends more than \$100,000 during the first year after a  
37 person receives an organ transplant and an average of only  
38 \$19,100 per year thereafter, including the cost of  
39 immunosuppressive medications, and

40 WHEREAS, under current Medicare rules, coverage for  
41 immunosuppressive drugs abruptly ceases 36 months after kidney  
42 transplantation for all Medicare patients, except those who are  
43 65 years of age or older or have work-related disabilities, and

44 WHEREAS, extending immunosuppressive coverage beyond the  
45 current 36-month limit would decrease the risk of allograft  
46 failure attributable to a patient's inability to afford  
47 immunosuppressive medications following loss of drug coverage  
48 under Medicare, and

49 WHEREAS, when a renal allograft fails, a patient requires  
50 costly dialysis and may be a candidate for retransplantation,  
51 both of which are covered by Medicare, and

52 WHEREAS, the Comprehensive Immunosuppressive Drug Coverage  
53 for Kidney Transplant Patients Act, H.R. 2969 and S. 1454, would  
54 finally eliminate this 36-month time limitation for patients  
55 with end-stage renal disease and extend immunosuppressive drug  
56 coverage to all transplant recipients for the life of the  
57 transplanted organ, and

58 WHEREAS, economic analyses confirm that providing lifetime

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59 funding for immunosuppressive medications would lower overall  
60 costs to Medicare, saving an estimated \$200 million annually,  
61 and

62 WHEREAS, transplantable kidneys are lifesaving gifts made  
63 possible by living donors or by the family of an individual who  
64 is deceased, and are of an immeasurable benefit to society, and

65 WHEREAS, the Share Your Spare Act, H.R. 2755, would change  
66 current public policy that devalues this gift by amending the  
67 Internal Revenue Code to allow a nonrefundable, one-time,  
68 personal credit for a donation of a life-saving organ from one  
69 living person to another, and

70 WHEREAS, encouraging volunteers to donate their organs and  
71 ensuring lifetime access to immunosuppressive medications for  
72 all Americans who have kidney transplants would save lives and  
73 reduce the total cost of treating persons who have end-stage  
74 renal disease, NOW, THEREFORE,

75  
76 Be It Resolved by the Senate of the State of Florida, the House  
77 of Representatives Concurring:

78  
79 That the Congress is encouraged to pass the Share Your  
80 Spare Act, H.R. 2755, and the Comprehensive Immunosuppressive  
81 Drug Coverage for Kidney Transplant Patients Act, H.R. 2969 and  
82 S. 1454, thus taking a necessary step toward promoting quality  
83 of life for all kidney transplant recipients and providing an  
84 incentive to encourage organ donation in this country.

85 BE IT FURTHER RESOLVED that a copy of this concurrent  
86 resolution be dispatched to the President of the United States  
87 Senate, to the Speaker of the United States House of

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88 Representatives, to each member of the Florida delegation to the  
89 United States Congress, and to the presiding officers of each  
90 house of the several state legislatures.