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Title: Relieve Burden for Living Organ Donors
Introduced by: Lucy Ching Chau for the Medical Student Section
Original Author: Lucy Ching Chau, Tabitha Moses, Shannon Paquette, and Bailey Ray
Referred to: Reference Committee B
House Action: **APPROVE**

Whereas, since 2005, the rate of living organ donation in Michigan has dropped by an average of 2.05 percent annually, which is lower than the change in the national average during the same period^{1,2,3}, and

Whereas, from 2005 to 2015, the living organ donor population per million in Michigan decreased by 20.9 percent overall, which is above the average rate of reduction amongst all states during the same period^{1,2,3}, and

Whereas, studies have shown that direct costs to living organ donors average approximately \$5,000.00, which is greater than one month’s wage for 76 percent of donors⁴, and

Whereas, between 25 to 30 percent of donors do not have sufficient medical leave and/or vacation time to accommodate their recovery⁵, and

Whereas, approximately 30 percent of living organ donors are persons of ethnic minorities who have been shown to be at greater risk of financial impacts both pre- and post-donation^{5,6,7}, and

Whereas, financial burdens for living kidney donors have been shown to increase risk of depression and lower satisfaction of life scores after surgery^{8,9}, and

Whereas, 83 percent of living kidney donors surveyed in Canada reported an inability to perform household tasks after the surgery for an average of 33 days¹⁰, and

Whereas, on average, living kidney donors report 252 hours of lost work due to donation¹¹, and

Whereas, it takes 4-6 weeks for a donor to make a full recovery, and during this time it is recommended they rest as much as possible¹², and

Whereas, federal law grants federal employees seven days paid leave for bone marrow donation and 30 days for organ donation in addition to annual and sick leave¹³, and

Whereas, the Living Donor Protection Act of 2016 (S.2584) would prevent the discrimination of living organ donors in conferring insurance and rectify the Family and Medical Leave Act of 1993 to “include living organ donation as a serious health issue that entitles a covered employee to leave...”¹⁴, and

Whereas, laws in 31 states allow state employees some increment of paid leave for living organ donation; laws in 20 states offer tax deductions to donors and in some cases private employers; and, laws in eight states mandate paid leave from private employers^{15,16}, and

54 Whereas, Michigan is one of 12 states with no law expressing any employee benefit for living
55 organ donation¹⁵; therefore be it

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57 RESOLVED: That MSMS advocate that all state employees be entitled to 30 days paid leave for
58 organ donation; and be it further

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60 RESOLVED: That MSMS encourage private employers to offer employees paid leave for the
61 duration of the organ donation procedure; and be it further

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63 RESOLVED: That the Michigan Delegation to the American Medical Association (AMA) ask our
64 AMA to support legislation expanding paid leave for organ donation.

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67 WAYS AND MEANS COMMITTEE FISCAL NOTE: NONE

Relevant AMA Policy:

Removing Financial Barriers to Living Organ Donation H-370.965

Our AMA supports federal and state laws that remove financial barriers to living organ donation, such as: (1) provisions for expenses involved in the donation incurred by the organ donor, (2) providing access to health care coverage for any medical expense related to the donation, (3) prohibiting employment discrimination on the basis of living donor status, and (4) prohibiting the use of living donor status as the sole basis for denying health and life insurance coverage.

¹ U.S. Department of Health and Human Services. Organ Procurement and Transplantation Network. (2016) "Donors Recovered in the U.S. by Donor Type" Available at: <https://optn.transplant.hrsa.gov/data/view-data-reports/national-data/#> Accessed December 1, 2016.

² U.S. Census Bureau, 2015 American Community Survey 1-Year Estimates. (2015) Available at: https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_15_1YR_B01003&prodType=table Accessed December 1, 2016.

³ U.S. Census Bureau, 2005 American Community Survey 1-Year Estimates. (2005) Available at: https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_15_1YR_B01003&prodType=table Accessed December 1, 2016.

⁴ Dew MA, Myaskovsky L, Steel JL, DiMartini AF. Managing the Psychosocial and Financial Consequences of Living Donation. *Current transplantation reports*. 2014;1(1):24-34. doi:10.1007/s40472-013-0003-4.

⁵ Dew MA, Jacobs CL. Psychosocial and Socioeconomic Issues Facing the Living Kidney Donor. *Advances in Chronic Kidney Disease*. 2012;19(4):237-243. doi:10.1053/j.ackd.2012.04.006.

⁶ U.S. Department of Health and Human Services. Organ Procurement and Transplantation Network. (2016) "Live Donors Recovered in the U.S. by Donor Ethnicity" Available at: <https://optn.transplant.hrsa.gov/data/view-data-reports/national-data/#> Accessed December 1, 2016.

⁷ Purnell TST. *Advances in chronic kidney disease: Understanding and overcoming barriers to living kidney donation among racial and ethnic minorities in the United States*. WB Saunders Company; 07/2012;19:244.

⁸ Tushla L, Rudow DL, Milton J, Rodrigue JR, Schold JD, Hays R. Living-Donor Kidney Transplantation: Reducing Financial Barriers to Live Kidney Donation—Recommendations from a Consensus Conference. *Clinical Journal of the American Society of Nephrology: CJASN*. 2015;10(9):1696-1702. doi:10.2215/CJN.01000115.

⁹ Jowsey SG, Jacobs C, Gross CR, Hong BA, Messersmith EE, Gillespie BW, Beebe TJ, Kew C, Matas A, Yusen RD, Hill-Callahan M, Odum J, Taler SJ, The R.S.G. Emotional well-being of living kidney donors: Findings from the RELIVE Study. *American Journal of Transplantation*. 2014;14(11):2535-2544. doi: 10.1111/ajt.12906.

¹⁰ Messersmith EE, Gross CR, Beil CA, Gillespie BW, Jacobs C, Taler SJ, Merion RM, Jowsey SG, Leichtman AB, Hong BA. the RELIVE Study Group. Satisfaction with life among living kidney donors: A RELIVE study of long-term donor outcomes. *Transplantation*. 2014 December 27;98(12):1294-1300. doi: 10.1097/TP.0000000000000360.

¹¹ Klarenbach S, Gill JS, Knoll G, Caulfield T, Boudville N, Prasad GVR, Karpinski M, Storsley L, Treleaven D, Arnold J, Cuerden M, Jacobs P, Garg AX, for the Donor Nephrectomy Outcomes Research Network. Economic consequences incurred by living kidney donors: A Canadian multi-center prospective study. *American Journal of Transplantation*. 2014;14(4):916-922. doi:10.1111/ajt.12662.

¹² American Transplant Foundation. (2016) "What to Consider Before Donating" Available at: <http://www.americantransplantfoundation.org/about-transplant/living-donation/becoming-a-living-donor/five-questions-to-ask-yourself/> Accessed December 1, 2016.

¹³ U.S. Office of Personnel Management. (2016) "Bone Marrow or Organ Donor Leave. 5 U.S.C. 6327" Available at: <https://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/bone-marrow-or-organ-donor-leave/> Accessed December 1, 2016.

¹⁴ Living Donor Protection Act of 2016. S.2584. 114th Congress (2015-2016)

¹⁵ U.S. Department of Health & Human Services. (2010) "State Organ Donor Legislation" Available at: http://www.organdonor.gov/legislation_micro/ Accessed December 1, 2016.

¹⁶ National Kidney Foundation. (2016) "Donor Leave Laws and Tax Deductions/Credits for Living Donors" Available at: https://www.kidney.org/sites/default/files/LDTaxDed_Leave.pdf Accessed December 1, 2016.