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Capps Praises HOPE Act Passage by Energy and Commerce Committee

WASHINGTON, D.C. - Today, Rep. Lois Capps (CA-24) applauded the House Energy and Commerce Committee's passage of the HOPE Act (H.R. 698, the HIV Organ Policy Equity Act), a bill she authored that would create a science-based path for medical research to proceed on the feasibility, effectiveness and safety of HIV-positive to HIV-positive organ transplants.

As treatment for HIV/AIDS has improved more people are living with HIV longer and liver and kidney failure are now among the leading causes of death of people living with HIV. Organ transplant is often the best treatment for HIV positive patients with liver and kidney failure. Unfortunately, there is currently a shortage of organs available to be transplanted, and HIV positive patients are usually at higher risk of dying while waiting for a transplant.

At the same time, over 500 possibly viable organs are being discarded every year due to an outdated policy banning HIV positive organs from being used for transplant. Signed into law in the 1980s when HIV/AIDS was not understood, this ban prohibits even research on the viability of HIV positive organ transplants for those already infected with the disease. The HOPE Act would change that.

The legislation was introduced by Congresswoman Capps, RN, along with Congressman Andy Harris, MD (MD-01) in the House, and Senator Barbara Boxer (D-CA) and Senator Tom Coburn, M.D. (R-OK) in the Senate. In June, the Senate passed its version of the HOPE Act, S. 330, by unanimous consent.

"The HOPE Act could give more people the chance to receive life-saving organ transplants and reduce the organ transplant waiting list for all Americans," Capps said. "This is common sense legislation to allow our nation's top transplant researchers to follow the science and find breakthroughs to improve the lives of so many, while ensuring the future safety of our organ transplantation program.

"I'm happy my colleagues in the Energy and Commerce Committee saw fit to advance this bill, and it is my hope that the House will pass the HOPE Act and that it will move to the President's desk for his signature, without delay," said Capps.

"The HOPE Act is exactly the kind of bipartisan legislation that will improve lives and have a positive impact on our healthcare system," said Harris. "As a physician for nearly 30 years who has conducted medical research, I know firsthand how medical innovation often outpaces government laws and regulations.

"I have also seen numerous times the life-saving joy that an organ transplant brings to patients and their families. The HOPE Act changes an outdated law by making government work in a more efficient and effective manner for all patients needing transplants - both those with HIV and those without - which is exactly what the American people expect from their elected officials," said Harris.

The bill is supported by a wide variety of medical and patient organizations including: [American Medical Association](#), [American Society for Transplantation](#), [American Society of Transplant Surgeons](#), [Dialysis Patient Citizens](#), [HIV Medicine Association](#), [United Network for Organ Sharing](#), [American Civil Liberties Union](#), Human Rights Campaign, Organization for Transplant Professionals, [American Society for Nephrology](#), American Transplant Foundation, Association of Organ Procurement Organization, and others ([full list](#)).

"On behalf of the American Society of Transplantation (AST), representing the majority of medical professionals engaged in the field of solid organ transplantation, we strongly support and endorse the HOPE Act," said Dan R. Salomon, M.D., President of the American Society of Transplantation. "The transplant community is grateful for the work of Congresswoman Lois Capps to develop and introduce the HOPE Act, along with the key support of E&C Health Subcommittee Vice Chair Dr. Michael Burgess (R-TX) and others that have worked to develop this straight forward and simple policy that will better utilize life-saving donor organs. AST commends the U.S. Senate for passing the HOPE Act legislation earlier this year and is encouraged by the U.S. House Energy & Commerce Committee's consideration of the bill."

The bill would amend a section of the Public Health Service Act to allow for research on the transplantation of HIV-positive organs into individuals who are also HIV-positive. The Department of Health and Human Services (HHS) would establish guidelines, regulations, and standards to govern how research could proceed in this area. If a scientific body of research emerges showing that these transplants would be safe and effective, HHS would work with the network that maintains the national organ-matching system to allow these transplants to become the standard of care for HIV-positive patients. Throughout, HHS is directed to ensure the safe and efficacy of the nation's organ supply and transplantation system.

A study published in the American Journal of Transplantation showed allowing HIV-positive organ donation to HIV-positive transplant patients could increase the organ donation pool by 500 to 600 donors, possibly saving hundreds of lives. It could also potentially save Medicare dollars by reducing the need for kidney dialysis. Currently, the treatment of patients experiencing kidney failure is responsible for six percent of Medicare's annual budget. Transplantation could lead to both lower Medicare costs and better patient outcomes.

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