

## **Senate Public Health and Welfare**

### **Testimony in Support of SB 194**

**Dr. Timothy Schmitt**

**March 12, 2019**

Chairman Suellentrop and Members of the Committee,  
Good morning, my name is Dr. Tim Schmitt and I am a transplant surgeon and the Director of the transplant program at The University of Kansas Health System. More importantly, I am a registered organ donor. I'm here today to testify in favor of SB 194, which would recognize the rights of organ donors in Kansas.

While there are many aspects of transplant, I would like to focus on organ donation which we know is the foundation of the whole system. Organ donation in the United States is an "opt in", meaning you have the right to choose to be an organ donor. Ultimately, we have as much right to bury our organs as we do to donate them. As I speak to others about organ donation, the choice to donate is influenced by family, community and experiences. This is true for me as well. Each day I see the impact organ donation has on a Kansan, a patient on the waitlist at our transplant center. Over the last few years, I've heard organs referred to as commodities and national resources of the United States. I could not disagree

more with how this gift, which is identified as just that in the Uniform Anatomical Gift Act, is being characterized.

Over the last few years, I have become increasingly concerned with the direction organ donation is going. The availability of organs is limited, and we have argued time and time again the only way to meet the needs of all Kansans who need a transplant is to increase the number of registered organ donors. Kansas is fortunate to have a program, Gift of Life, which educates high school students on the importance of organ donation. We also have a high performing, hardworking organ procurement organization (OPO) in Kansas which identifies potential organ donors and works hand in hand with donor families. It is a delicate process, one that requires personal engagement, compassion and recognition of the lifesaving gift they are giving. There are 58 OPOs throughout the country and the performance of these OPOs varies dramatically. We feel it is critical for the public to be aware of this so that we can all join together to encourage our members of Congress to enforce current rules and create laws and regulations to hold all OPOs to a higher standard to improve organ donation throughout the country. Because the only way to do more transplants is to increase the number of donors.

I routinely call organ donation the foundation of transplant. And all of our efforts should be focused on improving and maximizing donation throughout the country

because a house without a solid foundation will eventually crumble. Without a focus on increasing donation, we will continue to see organs viewed as commodities and national resources – which is detrimental to such a delicate system.

Just yesterday I had the opportunity to witness the meeting of a living kidney donor who started a four-person kidney chain. This generous person felt compelled to give the gift of an organ after she was inspired by a podcast focusing on the critical shortage of organs in this country. A member of our community came to the University of Kansas Health System and asked to give a kidney to someone on our list. This person gave to a young woman who had a potential living donor but didn't match. Her actions started a chain reaction that saved the lives of two people. I was moved by the experience. It was amazing to witness their interactions and how they expressed gratitude for the gift, for their new lease on life, and that they could never repay them for such a gift. We want all donors to have a choice when it comes to their gift of a lifesaving organ, just like those who are living donors. The bond these four-people developed and the positive feelings that were generated were immense. This experience solidified my deep-rooted conviction that donation is a gift. Organs are a gift. And that gift should be recognized and honored when a donor makes it.

We as an organization see increased donation as the only way to help with the nationwide shortage of organs. As a

transplant physician and a member of the transplant community, I feel our priority should be to make people aware of the benefits of transplant and the need within our community. We want everyone, our community, the transplant community, our state legislators and our members of Congress, to focus on increasing donation.

Our colleagues at the University of Vanderbilt recently published an article in the American Journal of Transplantation. In summary this article surveyed the public and found that the sharing of organs locally, the survival rate after transplant and the cost of transplant are important to the public. However, this is not the direction transplant is moving in the United States. This is the principle reason for this bill. We want to recognize the rights of donors, the gift of organ donation and the needs of patients on a waitlist.

We would like to give the people of Kansas a choice. If individuals feel that it's important to help their neighbors, their community, fellow Kansans on the waitlist, we want to make that possible. We want to give individuals a way to help the people in their community who need a transplant. I think they should have a choice. Organs should remain local as much as possible - they are a gift. They are not a national resource.

Thank you for your time. I'm happy to stand for questions at the appropriate time.