

February 14, 2022

**VIA ELECTRONIC MAIL**

The Honorable Ben Cline  
U.S. House of Representatives  
Washington, DC, 20515

Dear Rep. Cline,

United Network for Organ Sharing (UNOS) is the mission-driven non-profit serving as the nation's organ donation and transplantation network, the Organ Procurement and Transplantation Network (OPTN), under contract with the U.S. Department of Health and Human Services. The National Organ Transplantation Act (NOTA) of 1984 and its implementing rule established the regulatory framework for the authority and operations of the OPTN. We have reviewed H.R. 6535, the *Stop Arduous Vaccine Enforcement (SAVE) Act of 2022*, amending Section 372(b)(2) of the Public Health Service Act to require the OPTN to

*...Prohibit a transplant center from treating an individual as ineligible to donate or receive an organ, assigns a lower priority to an individual to receive an organ, or otherwise discriminates against an individual seeking to donate or receive an organ, on the basis of whether the individual is vaccinated (partially or fully) against COVID-19.*

The OPTN does not consider vaccination status in development of any of its policies and bylaws, leaving clinical decision-making in the hands of doctors in concert with their patients. By statute, the OPTN's scope of authority is intentionally limited to organ allocation policies and membership requirements designed to ensure patient safety and to prevent the transmission of infectious disease in accordance with the Center for Disease Control and Prevention (CDC) guidelines.

It is established policy that transplant programs decide who to add to the national waitlist based on their own specified criteria and medical judgment, all in an effort to create the best chance for a positive outcome for their patients. Criteria can vary across programs, and can include a variety of immunization requirements, tests, procedures, medicines and more, with the understanding that the patients will be active participants in their medical care.

In an environment where lifesaving organs are always in short supply, we must ensure that doctors are able to make the best medical decisions possible to honor the gift of life, both for the recipient in need and the gracious organ donor.

As such, UNOS opposes the SAVE Act, because the requirement at the center of the legislation would remove the ability for physicians, transplant teams and hospitals to make the most informed medical decisions, in accordance with their best judgement and expertise.

We would be pleased to serve as a resource for you and support any future efforts to improve the organ donation and transplantation system.

Sincerely,

A handwritten signature in black ink that reads "Matthew Cooper". The signature is written in a cursive style with a horizontal line underneath the text.

Matthew Cooper, MD  
President, UNOS Board of Directors