

Committee on Energy and Commerce
Opening Statement as Prepared for Delivery
of
Ranking Member Frank Pallone, Jr.

Hearing on “A Year Removed: Oversight of Securing the U.S. Organ Procurement and Transplantation Network Act Implementation”

September 11, 2024

Mr. Chairman, I'm pleased that today's hearing gives us the opportunity to start assessing the progress the Health Resources and Services Administration, or HRSA, is making implementing the bipartisan Securing the U.S. Organ Procurement and Transplantation Network Act since it became law last year.

That bill, led by our colleagues, Representatives Bucshon and Kelly, was passed unanimously in both the House and Senate. This overwhelming support demonstrates the broad bipartisan agreement that the OPTN needed to be reformed to work more effectively for the patients across the country who need and receive organ transplants every year.

More than 100,000 Americans are on the national transplant waiting list, and tragically, 6,000 Americans die each year waiting for a transplant. This problem disproportionately affects people of color and people living in rural communities.

For nearly 40 years, the OPTN has been wholly operated by a single contractor, the United Network for Organ Sharing, or UNOS. This monopoly has made it very difficult to improve the system. It has pushed out potential competition and prevented innovation from other contractors who may be better suited to operate specific components of the OPTN. HRSA had begun some reforms to the system through its OPTN Modernization Initiative, but it did not have all the authorities and resources required to give the system the complete overhaul that it needed.

That is why Congress and the Biden-Harris administration have taken important steps with last year's bipartisan legislation to break up OPTN's monopoly by empowering HRSA to issue contracts to multiple vendors for various components of the network.

The need for reform was obvious. Significant evidence of mismanagement of the OPTN by UNOS had come to light. This was particularly troubling given the wide array of OPTN members that UNOS has been responsible for overseeing and coordinating. This included 56 organ procurement organizations, hundreds of transplant hospitals and laboratories, and numerous medical scientific organizations.

We must now ensure that reforms are properly implemented so we can restore trust in the system and make sure it is best serving patients. And while much more work remains to be done, HRSA has taken significant steps in the right direction.

September 11, 2024

Page 2

HRSA has begun to untangle the OPTN Board of Directors from the current and future contractors managing the system. The OPTN Board has historically been identical to the Board of Directors at UNOS, creating clear conflicts of interest and poor safeguards for patient safety. The OPTN Board is now incorporated as a separate entity and planning is underway for new board elections with assistance from a new contractor.

The changes that HRSA is undertaking should transform the way the OPTN is operated and provide enormous benefits for those who engage with this life-saving system. Building strong accountability mechanisms and clearer transparency into the system is critical. And constructive oversight from Congress as well as adequate funding for HRSA is essential to implementing necessary reforms and saving lives.

As part of our oversight efforts, earlier this year, our Committee began a bipartisan investigation demanding accountability from UNOS for reported incidents of mismanagement and looking forward by requesting details from HRSA on how the agency is approaching OPTN reform. This investigation is ongoing, and I hope that more information about what has gone wrong in the past provides lessons for building a stronger OPTN for the future.

I thank our witnesses for being here to provide perspectives on how to improve the OPTN and to push forward HRSA's modernization efforts.