



March 4, 2024

The Honorable Jason Smith
Chairman, House Ways and
Means Committee
1011 Longworth H.O.B.
Washington, DC 20515

The Honorable Vern Buchanan
Vice Chair, House Ways and
Means Committee
2110 Rayburn H.O.B
Washington, DC 20515

The Honorable Richard Neal
Ranking Member, House Ways
and Means Committee
372 Cannon H.O.B.
Washington, DC 20515

Dear Chairman Smith, Vice Chair Buchanan, Ranking Member Neal, and Members of the House Ways and Means Committee:

We, the undersigned organizations representing tens of millions of American patients, consumers, and seniors, urge you and your congressional colleagues to act expeditiously in passing the Kidney PATIENT Act of 2023 (H.R. 5074). This is a critical measure for patients on dialysis suffering from life-threatening kidney disease and for populations in this country that are already underserved by our health care system.

Today, many Americans suffering from End Stage Renal Disease (ESRD) rely on a treatment called Phosphate Lowering Therapies (PLTs). Patients with kidney failure are prone to having high levels of phosphate in their blood which can heighten the risk for heart attack or stroke if left untreated. Patients currently have access to these drugs, but that would change under the Center for Medicare and Medicaid Services' (CMS) plan to add PLTs to the ESRD payment bundle by January 1, 2025.

Wedging these treatments into a limited payment bundle where they will compete with other treatments for coverage means some patients will inevitably have less access to these drugs that reduce their risk of death. It's an unnecessary and ill-conceived step and will degrade the health care options available to patients already struggling with serious disease.

It is also a health equity issue. A disproportionate number of patients experiencing ESRD are minorities and live in rural and low-income communities. Black, Hispanic, and Native Americans have significantly higher rates of ESRD. Transferring coverage of PLTs into the ESRD bundle will only exacerbate the health disparities that already exist in our society.

Congressional action has previously upheld accessible coverage for PLTs, and it is essential that Congress act again. We firmly believe the only long-term solution to minimize patient risk is the passage of the Kidney PATIENT Act of 2023 (H.R. 5074). The Kidney PATIENT Act would instruct CMS to delay adding PLTs to the ESRD bundle until 2033 or until the Food and Drug Administration approves an intravenous treatment for lowering phosphate.

This is common-sense legislation that will ensure patients with severe kidney disease who are on dialysis can continue to receive quality health care. Thank you for your consideration of this important issue.

Sincerely,

National Minority Quality Forum Action Network
A. Philip Randolph Institute
Advocates for Responsible Care
Alliance for Aging Research
American Association of Clinical Endocrinology
American Association of Kidney Patients
American Health Care Association
American Kidney Fund
American Senior Alliance
American Society for Nephrology
American Society of Consultant Pharmacists (ASCP)
Antioch South Baptist Church (Atlanta, GA) - Pastor Marvin Gordon, Senior Pastor
Arizona Blood Alliance
Arizona Chronic Care Together Coalition
Atlanta Black Nurses Association
Bethesda Baptist Church
Breaking the Sickle Cell Cycle Foundation
California Chronic Care Coalition
Calvary Temple Baptist Church (Atlanta, GA) - Pastor J. O. Jackson, Senior Pastor
Center for Patient Advocacy Leaders (CPALs)
Coalition for Cultural Change
Cornerstone Community Baptist Church (Atlanta, GA) - Pastor W. J. Lawson, Senior Pastor
Crown of Glory Baptist Church (Atlanta, GA) - Pastor Joshua McKinsey, Senior Pastor
Diabetes Alliance of Idaho
Dialysis Patient Citizens
Eastern Shore of Maryland Sickle Cell Disease Association
Faith Advisory Council for Community Transformation
Fellowship Baptist Church - Pastor Stanley Smith, Senior Pastor
Georgia Bio
Gerontological Society of America
HEAL Collaborative
Healthy Men Inc.
Healthy Women
Home Dialyzors United
iAdvocate
Kidney Care Partners
Kidney Champion Foundation

Kidney Foundation of Central Pennsylvania
Latino Connection
Looms for Lupus
Lupus and Allied Diseases Association, Inc.
Maryland Latinos Unidos (MLU)
MassBio
Michigan Building & Construction Trades Council
Millennium Man Ministries
MTS Sickle Cell Foundation
National Association of Nutrition and Aging Services (NANASP)
National Baptist Convention
National Caucus and Center on Black Aging
National Center for Assisted Living
National Consumers League
The National Grange
National Kidney Foundation
New York State Osteopathic Medical Society
NewYorkBIO
Northwest Kidney Council
Partnership to Fight Chronic Disease
Peer Plus Education and Training Advocates
Pioneer Valley Lupus Support Group
Redmoon Project
Renal Healthcare Association
Renal Physicians Association
Renal Support Network
RetireSafe
Ruby A. Neeson Diabetes Awareness Foundation
Rx in Reach Coalition
Sickle Cell/Thalassemia Patients Network
Teamsters Local 763
Texas Kidney Foundation
Texas Renal Coalition
Washington State Academy of Nutrition and Dietetics