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Media Contact

Adjoa Kyerematen
akyerematen@nmqf.org
202-220-8505



National Minority Quality Forum Action Network Lauds Momentum Behind the Kidney PATIENT Act, Urges House Energy & Commerce Committee Passage

More than 70 stakeholders from the kidney community and beyond alert Congress that dialysis patients will lose access to critical medicine beginning January 1, 2025.

WASHINGTON, D.C. (March 19, 2024) – The U.S. House Energy and Commerce Committee is expected to meet Wednesday to markup the Kidney Patient Access Technologically Innovative and Essential Nephrology Treatments Act of 2023 or the “Kidney PATIENT Act” (H.R. 5074).

H.R. 5074 has made significant progress in recent weeks. More than 70 stakeholders from patient advocacy groups, racial equity organizations, labor unions, and faith leadership [wrote to Congress](#) urging them to preserve patient access to oral-only Phosphate Lowering Therapies (PLTs) by keeping them out of the End Stage Renal Disease (ESRD) payment bundle.

On March 6, 2024, after amending the original bill language to include a two-year delay and require a study, House Ways & Means Committee members overwhelmingly voted, 41-1, to favorably report the legislation to the U.S. House of Representatives. Less than a week later, the House Energy & Commerce Subcommittee on Health voted 16 -10 to report the full 10-year delay favorably.

“Over the last two weeks, Congress has listened to kidney patients, care providers, racial equity advocates, and labor leaders and voted in favor of the Kidney PATIENT Act in both Ways & Means and the Health Subcommittee. There is consensus in the community—driven by an urgent need to protect patient access to critical medicine – that these treatments do not belong in the ESRD payment bundle,” said **Gary A. Puckrein, Ph.D., President and Chief Executive Officer of the National Minority Quality Forum Action Network**. “Dialysis patients – most of whom are from minoritized communities – are fighting for their lives every day. They need leaders fighting beside them, not politicians looking out for themselves. We urge Energy & Commerce Committee members to support the Kidney PATIENT Act.”

The Kidney PATIENT Act would instruct the Center for Medicare and Medicaid Services (CMS) to delay adding oral-only PLTs to the ESRD payment bundle until 2033 or until the Food and Drug Administration approves an intravenous treatment for lowering phosphate. Patients currently have access to these drugs under Medicare Part D, but that would change under the CMS plan to add PLTs to the ESRD payment bundle by January 1, 2025.

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