Obama signs bill for HIV organ donation

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President Obama signed into law on Thursday afternoon a bill approved by Congress with significant bipartisan support that lifts the ban on the donation of organs from HIV-positive people to others with HIV.

In a statement, Obama said he signed the legislation, called the HIV Organ Policy Equity Act, or HOPE Act, to provide the opportunity for people with HIV to receive organ donations.

"The potential for successful organ transplants between people living with HIV has become more of a possibility," Obama said. "The HOPE Act lifts the research ban, and, in time, it could lead to live-saving organ donations for people living with HIV while ensuring the safety of the organ transplant process and strengthening the national supply of organs for all who need them."

First enacted in 1988 during the peak of AIDS crisis, the ban on the donation of organs from HIV-positive donors and related research was passed by Congress as part of the Organ Transplant Amendments Act.

Efforts to repeal the ban picked up steam now that HIV-positive people are living longer lives thanks to advances in antiretroviral therapy. Despite their new longevity, these patients are now more likely to face chronic conditions such as liver and kidney failure, for which organ transplants are the standard form of care.

Kyle Murphy, a spokesperson for the National Minority AIDS Council, said the bill signing demonstrates Obama is committed to "evidence-based solutions" to confronting HIV/AIDS.

"The outdated ban on HIV-positive organ donation left countless infected, but otherwise healthy organs unused while condemning thousands of people living with HIV to languish on transplant wait lists," Murphy said. "Reforming this policy not only gives hope HIV-positive individuals in need of a new organ, it will also free up uninfected organs for HIV-negative patients."

The U.S. House passed the HOPE Act by voice vote [1] on Nov. 12. Although versions of the legislation were introduced in both chambers of Congress, the House approved the Senate-passed version, which the Senate approved in June by unanimous consent.

In the Senate, the bill was introduced by Sens. Barbara Boxer (D-Calif.) along with Tammy Baldwin (D-Wis.), Tom Coburn (R-Okla.) and Rand Paul (R-Ky.) as original co-sponsors. In the House, Reps. Lois Capps (D-Calif.) was lead sponsor and Andy Harris (R-Md.) was an original co-sponsor.
Capps said in a statement the legislation was crafted after years of work and passed in collaboration with the HIV and medical communities after achieving building a bipartisan, bicameral consensus.

“This proves that even in a divided Congress, we can come together to pass common sense bills with bipartisan efforts that will help save lives, improve health outcomes, and save taxpayer dollars,” Capps said.

Harris, a physician, said in a statement the legislation “gives new hope” to people with HIV awaiting organ transplants.

“As a physician who has performed anesthesia during organ transplants, I have seen firsthand the life-saving joy that receiving an organ can bring to patients and their families,” Harris said. “I appreciate the bipartisan support this common sense change to an outdated law has received.”

Under the HOPE Act, the Department of Health & Human Services and the Organ Procurement Transplant Network, or OPTN, will be directed to create standards for research on HIV-positive organ transplantation. The law permits the secretary to permit positive-to-positive transplantation if the results of research are determined to warrant such a change. The secretary would be required to direct OPTN to create standards to ensure that the organ transplant doesn’t impact the safety of the transplantation network.

An estimated 100,000 patients are on the active waiting list for organ transplants in the United States and about 50,000 people are added to the list each year. According to a study in the American Journal of Transplantation, allowing organ transplants from HIV-positive donors to HIV-positive recipients could increase the organ donation pool by 500 to 600 donors each year.

Obama concluded in his statement that lifting the ban on HIV organ donation is line with his previous efforts to confront the HIV/AIDS epidemic.

“Improving care for people living with HIV is critical to fighting the epidemic, and it’s a key goal of my National HIV/AIDS Strategy,” Obama said. “The HOPE Act marks an important step in the right direction, and I thank Congress for their action.”