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January 12, 2024

The Honorable Mike Kelly
1707 Longworth House Office
Building
Washington, D.C. 20515

The Honorable Yvette Clarke
2050 Rayburn House Office Building
Washington, D.C. 20515

Dear Representatives Kelly and Clarke:

On behalf of the American Nephrology Nurses Association (ANNA), I would like to thank you for introducing the *Restore Protections for Dialysis Patients Act* (H.R. 6860). ANNA is proud to support the legislation and we thank you for your leadership on this important policy issue.

ANNA is a nonprofit organization with a membership of more than 6,000 registered nurses and other health care professionals at all levels of practice. ANNA members work in settings such as chronic kidney disease management, peritoneal dialysis, hemodialysis, continuous renal replacement therapy, transplantation, and government and regulatory agencies.

ANNA strongly supports the *Restore Protections for Dialysis Patients Act*, which would prevent group health plans from discriminating against individuals living with end stage kidney disease (ESKD) who require coverage of kidney care service, like dialysis, to survive. In 2022, the Supreme Court struck portions of the Medicare Secondary Payer Act (MSPA), allowing group health plans to forgo providing in network coverage of kidney care services to plan enrollees living with ESKD. As a result, many individuals living with ESKD have been forced to enroll in the Medicare End-Stage Renal Disease (ESRD) benefit leading them to miss out on the 30 month coordination period, loss of family health care coverage, and key supplemental benefits like vision and dental, as well as pay higher out-of-pocket costs for kidney care services they need to survive.

The *Restore Protections for Dialysis Patients Act* is an important step forward in protecting kidney care benefits in group health plans. ANNA is grateful for your leadership on this issue. We stand ready to work with you and your colleagues to ensure the bill becomes law. If we can be of any assistance on this issue, please do not hesitate to contact me or ANNA's Washington representative, Jim Twaddell (jtwaddell@venable.com or 703-447-6365).

Sincerely,



Jennifer Payton, MHCA, BSN, RN, CNN



President