

**United States Senate**  
**WASHINGTON, DC 20510**

May 2, 2019

The Honorable Alex Azar  
Secretary  
U.S. Department of Health and Human Services  
200 Independence Avenue, SW  
Washington, DC 20201

Dear Secretary Azar,

We were pleased to hear of your decision to temporarily delay the implementation of the flawed liver allocation policy. We urge you to extend this delay until the Comptroller General of the United States can fully review both the Organ Procurement and Transplantation Network's (OPTN) policy-making process and the Department's oversight of the program.

The new OPTN policy will have a chilling effect on Midwestern and Southern states as well as rural areas. No longer will locally donated livers be more likely to stay in Missouri, Kansas, or other Midwestern states that have high donation rates. Instead, the OPTN rewards locations that underutilize existing organ donation resources and have historically troubled organ procurement organizations. Under the plan, Missouri could lose 32 percent of livers donated in the state; Kansas could lose 45 percent.

Since the OPTN started considering this proposal, we have met with the Health Resources and Services Administration (HRSA) Administrator and have written two letters to you expressing concerns about HRSA and the Department's oversight of the OPTN, as well as the clearly flawed process used by OPTN to force through a new, unsound allocation policy. Additionally, when you testified before the Senate Appropriations Committee on April 4, 2019, we spent a significant amount of time on this issue. While you responded at the hearing, "I do believe my cards are played out here," you subsequently found authority to temporarily delay the implementation. It appears there is more you can do.

As you can see from the attached letter, we have now asked the Government Accountability Office to review the new policy. Specifically, we would like the Comptroller General to obtain answers to questions about the process HRSA and OPTN used to review and make changes to the policy and how a similar change to the lung allocation policy affected costs for acquiring, processing, and transplanting lungs, and whether these factors were considered prior to adopting a change to the liver policy.

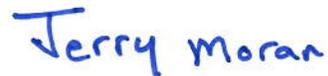
We believe the new liver policy is shortsighted and simply wrong. As you have shown with the temporary delay, you have the authority to delay the allocation policy. We urge you to

continue this delay until a full and thorough examination of the OPTN policy and process can be accomplished.

Sincerely,



Roy Blunt



Jerry Moran

Attachment: Letter to Comptroller General of the United States