

CHARLOTTE WOODWARD ORGAN TRANSPLANT
DISCRIMINATION PREVENTION ACT

JUNE 12, 2025.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. GUTHRIE, from the Committee on Energy and Commerce,
submitted the following

R E P O R T

[To accompany H.R. 1520]

The Committee on Energy and Commerce, to whom was referred
the bill (H.R. 1520) to prohibit discrimination on the basis of men-
tal or physical disability in cases of organ transplants, having con-
sidered the same, reports favorably thereon without amendment
and recommends that the bill do pass.

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PURPOSE AND SUMMARY

H.R. 1520 prohibits health care providers and other entities from
denying or restricting an individual’s access to organ transplants
solely on the basis of the individual’s disability, except in limited
circumstances.

BACKGROUND AND NEED FOR LEGISLATION

According to the National Council on Disability, individuals with disabilities are often denied equal access to organ transplants based solely on disability status. The denials are usually based on assumptions that these individuals' lives are of poorer quality than individuals without disabilities and on misinterpretations regarding the ability for these individuals to comply with postoperative care.¹ Existing federal laws, including the Americans with Disabilities Act of 1990, the Rehabilitation Act of 1973, and the Patient Protection and Affordable Care Act, prohibit organ transplant centers from discriminating on the basis of disability.² However, there is limited enforcement and a lack of federal guidance to ensure patients are protected. Some states have laws banning organ transplant discrimination, but the state patchwork can lead to further confusion, and disability-based discrimination in the organ transplant system continues to occur. For instance, an infant with Down syndrome in Florida needed a heart transplant due to a congenital heart defect. The infant was denied a heart transplant by three physicians and tragically passed away.³ H.R. 1520 will clarify that individuals with disabilities shall not be denied an organ transplant or related services based solely on the individual's disability and includes an expedited review and enforcement mechanism, as appropriate, through the Department of Health and Human Services Office of Civil Rights.

COMMITTEE ACTION

On February 14, 2024, the Subcommittee on Health held a hearing on H.R. 2706.⁴ The title of the hearing was "Legislative Proposals to Support Patients and Caregivers." The Subcommittee received testimony from:

- Andy Shih, PhD, Chief Science Officer, Autism Speaks;
- Corey Feist, JD, MBA, Co-Founder and CEO, Dr. Lorna Breen Heroes' Foundation;
- Joanne Pike, DrPH, President and CEO, Alzheimer's Association;
- Gordon Tomaselli, MD, Former President, American Heart Association; Marilyn and Stanley M. Katz, Dean Emeritus and Professor of Medicine, Albert Einstein College of Medicine; Adjunct Professor of Medicine, Johns Hopkins University School of Medicine;
- Michelle Whitten, President, CEO, and Co-Founder, Global Down Syndrome Foundation;
- Randy Strozyk, President, American Ambulance Association; and
- Christina Annunziata, MD, PhD, Senior Vice President of Extramural Discovery Science, American Cancer Society.

¹NATIONAL COUNCIL ON DISABILITY, ORGAN TRANSPLANT DISCRIMINATION AGAINST PEOPLE WITH DISABILITIES, PART OF THE BIOETHICS AND DISABILITY SERIES (Sept. 25, 2019), https://www.ncd.gov/assets/uploads/reports/2019/ncd_organ_transplant_508.pdf.

²See Americans with Disabilities Act of 1990, Pub. L. No. 101-336 (1990); Rehabilitation Act of 1973, Pub. L. No. 93-112 (1973); Patient Protection and Affordable Care Act, Pub. L. No. 111-148 (2010).

³Emma Delamo, *Ocala couple inspires NCFL Congresswoman to push forward bill for those with disabilities*, WCJB, (Feb. 22, 2024, 6:04 PM), <https://www.wcjb.com/2024/02/22/ocala-couple-inspire-ncfl-congresswoman-push-forward-bill-those-with-disabilities/>.

⁴Provisions of H.R. 2706 were reintroduced in the 119th Congress as H.R. 1520.

On March 12, 2024, the Subcommittee on Health met in open markup session and forwarded H.R. 2706, as amended, to the full Committee by voice vote.

On March 20, 2024, the full Committee on Energy and Commerce met in open markup session and ordered H.R. 2706, as amended, favorably reported to the House by a record vote of 46 yeas and 0 nays.

On April 29, 2025, the full Committee on Energy and Commerce met in open markup session and ordered H.R. 1520 favorably reported to the House by a record vote of 46 yeas and 1 nay.

COMMITTEE VOTES

Clause 3(b) of rule XIII requires the Committee to list the record votes on the motion to report legislation and amendments thereto. The following reflects the record vote taken during the Committee consideration:

**COMMITTEE ON ENERGY AND COMMERCE
119TH CONGRESS
ROLL CALL VOTE # 16**

BILL: H.R. 1520

AMENDMENT: Final Passage

DISPOSITION: Agreed to, by a roll call vote of 46 yeas and 1 nay.

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Mr. Guthrie	X			Mr. Pallone	X		
Mr. Latta	X			Ms. DeGette	X		
Mr. Griffith	X			Ms. Schakowsky	X		
Mr. Bilirakis	X			Ms. Matsui	X		
Mr. Hudson	X			Ms. Castor	X		
Mr. Carter (GA)	X			Mr. Tonko	X		
Mr. Palmer	X			Ms. Clarke		X	
Mr. Dunn	X			Mr. Ruiz	X		
Mr. Crenshaw	X			Mr. Peters	X		
Mr. Joyce	X			Mrs. Dingell	X		
Mr. Weber	X			Mr. Veasey	X		
Mr. Allen	X			Ms. Kelly			
Mr. Balderson	X			Ms. Barragán	X		
Mr. Fulcher				Mr. Soto	X		
Mr. Pfluger				Ms. Schrier	X		
Mrs. Harshbarger	X			Ms. Trahan	X		
Mrs. Miller-Meeks				Ms. Fletcher	X		
Mrs. Cammack	X			Ms. Ocasio-Cortez	X		
Mr. Obernolte	X			Mr. Auchincloss	X		
Mr. James				Mr. Carter (LA)			
Mr. Bentz	X			Mr. Menendez	X		
Mrs. Houchin	X			Mr. Mullin	X		
Mr. Fry	X			Mr. Landsman	X		
Ms. Lee	X			Ms. McClellan	X		
Mr. Langworthy	X						
Mr. Kean	X						
Mr. Rulli	X						
Mr. Evans							
Mr. Goldman	X						
Mrs. Fedorchak	X						

04/29/2025

OVERSIGHT FINDINGS AND RECOMMENDATIONS

Pursuant to clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII, the Committee held a hearing and made findings that are reflected in this report.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

Pursuant to clause 3(c)(2) of rule XIII, the Committee finds that H.R. 1520 would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII, at the time this report was filed, the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974 was not available.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to prohibit health care practices that discriminate against individuals with a disability during the organ transplant process.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII, no provision of H.R. 1520 is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111–139 or the most recent Catalog of Federal Domestic Assistance.

RELATED COMMITTEE AND SUBCOMMITTEE HEARINGS

Pursuant to clause 3(c)(6) of rule XIII, the following hearing was used to develop or consider H.R. 1520:

- On February 14, 2024, the Subcommittee on Health held a hearing on H.R. 2706.⁵ The title of the hearing was “Legislative Proposals to Support Patients and Caregivers.” The Subcommittee received testimony from:
 - Andy Shih, PhD, Chief Science Officer, Autism Speaks;
 - Corey Feist, JD, MBA, Co-Founder and CEO, Dr. Lorna Breen Heroes’ Foundation;
 - Joanne Pike, DrPH, President and CEO, Alzheimer’s Association;
 - Gordon Tomaselli, MD, Former President, American Heart Association; Marilyn and Stanley M. Katz, Dean Emeritus and Professor of Medicine, Albert Einstein Col-

⁵ Provisions of H.R. 2706 were reintroduced in the 119th Congress as H.R. 1520.

lege of Medicine; Adjunct Professor of Medicine, Johns Hopkins University School of Medicine;

- Michelle Whitten, President, CEO, and Co-Founder, Global Down Syndrome Foundation;
- Randy Strozyk, President, American Ambulance Association; and
- Christina Annunziata, MD, PhD, Senior Vice President of Extramural Discovery Science, American Cancer Society.

COMMITTEE COST ESTIMATE

Pursuant to clause 3(d)(1) of rule XIII, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974. At the time this report was filed, the estimate was not available.

EARMARK, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9(e), 9(f), and 9(g) of rule XXI, the Committee finds that H.R. 1520 contains no earmarks, limited tax benefits, or limited tariff benefits.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

Section 1 provides a short title of “Charlotte Woodward Organ Transplant Discrimination Prevention Act”.

Section 2. Definitions

Section 2 provides definitions for various terms used throughout the bill text.

Section 3. Prohibition of discriminatory policy

Section 3 prohibits the Board of Directors of the Organ Procurement and Transplantation Network from issuing policies that would prohibit a qualified individual from accessing an organ transplant solely on the basis of that individual’s disability.

Section 4. Prohibition of discrimination

Section 4 prohibits a covered entity from determining an individual is ineligible to receive an organ transplant, denying an individual an organ, refusing to refer an individual to a transplant center, and refusing to place the individual on the transplant waitlist based solely on the individual’s disability, except in certain circumstances. It also requires the Office of Civil Rights within the

Department of Health and Human Services to expedite claims allowed under this Act, as appropriate, to provide for stronger enforcement.

Section 5. Application to each part of process

Section 5 clarifies that certain provisions of this Act also apply to the evaluation and listing of qualified individuals, post-organ-transplant treatment of such an individual, and the process of receipt of related services.

Section 6. Effect on other laws

Section 6 clarifies that nothing in this Act shall be construed to supersede any provision of state or local law that provides further protections to individuals with disabilities.

