

**Committee on Energy and Commerce**  
**Opening Statement as Prepared for Delivery**  
**of**  
**Full Committee Ranking Member Frank Pallone, Jr.**

***Hearing on “Ensuring Patient Safety: Oversight of the U.S. Organ Procurement and Transplant System”***

**July 22, 2025**

Today, we are once again examining serious concerns that have been raised about our nation’s organ donation system and what needs to be done to fix them.

It is critical that the organ donation system continues to improve. Right now, there are over 100,000 people waiting for an organ transplant. The decision of whether to donate life-saving organs is a deeply personal and meaningful one. We owe it to everyone involved to make sure this system is working smoothly and that there is respect for donors and their families throughout the process. If we don’t have that, we won’t have as many donors. And without donors, the waiting list for organs will only get longer and there will be more suffering and death for those hoping for a transplant.

I am hopeful that today’s hearing will help us conduct meaningful oversight and find ways to ensure that our organ procurement and donation system is one that donors and their families can trust. The Health Resources and Services Administration (HRSA) oversees the Organ Procurement and Transplantation Network, or OPTN, and its members, which includes transplant hospitals, organ procurement organizations, labs, and medical and scientific organizations. This hearing focuses on findings and recommendations that were made by HRSA after investigating a specific incident in Kentucky and a series of other cases with similar features handled by the same organ procurement organization, which has since merged into Network for Hope.

HRSA’s investigation and report revealed overly aggressive practices by the Kentucky OPO that pose risks to patients. These findings should be cause for deep concern and immediate action.

The experience of one patient and his family that was extensively covered in the report is deeply concerning. At numerous points prior to his near-donation, signs that he should not have been considered an eligible donor were not acted upon by either the OPO or the hospital. Even more concerning, the HRSA investigation found similar examples of the OPO attempting to push forward with procurement of organs despite signs of cognitive function in the patients. These procedures were all ultimately not completed, but the OPO’s pressure tactics prolonged the processes before they were stopped.

When details of the incident in Kentucky were first reported, there were some key stakeholders who tried to downplay it before it was fully investigated, and some continue to do so even after seeing the results of HRSA's investigation.

I find this troubling and counterproductive. When there is a problem that affects people's lives, our responsibility is to face it and try to solve it, not sweep it under the rug. Yesterday, HHS announced that it would take action against Network for Hope if it does not comply with certain accountability measures.

There's also new reporting from the New York Times over the weekend describing numerous other cases from across the country where there were serious errors in the process of determining donation after circulatory death. In some cases, doctors found patients' hearts still beating after they had started the procedure. Other health care providers described donation procedures being initiated prematurely or without a complete assessment of the patient's cognitive condition. These are very disturbing cases and show why oversight of the donation system is necessary.

Last Congress, we passed the bipartisan Securing the U.S. Organ Procurement and Transplantation Network Act. This legislation created a foundation for the reforms that HRSA has been able to achieve and that are still in progress. HRSA has used its new authorities and resources to strengthen its oversight over the OPTN, including by creating a new Board of Directors and beginning the transition to additional contractors. But there is more work to do.

We need to make sure that there are experienced and qualified staff to continue the work of improving the system and increasing accountability. Secretary Kennedy's massive staff cuts and reorganization plans at HHS will cause great harm to the services it provides to the American people. HHS has not been forthcoming about where the cuts are occurring and what programs may be harmed by the so-called "reorganization." Committee Democrats will continue to push back against cuts at HRSA and across HHS.

Improvements to the OPTN and increased oversight by HRSA have broad support from this Committee. I hope we can continue to work together to ensure improvements that protect patient safety and create a culture of transparency and accountability. Those changes will increase confidence in the system, which in turn could increase organ donations that save the lives of others.

Thank you, Mr. Chairman. I yield back.