

**Maine Medical Center
Maine Transplant Program
Policies and Procedures
Financial Guidance for Potential Living Kidney Donors**

Introduction

Maine Medical Center's Maine Transplant Program (MTP) strongly supports living kidney donation. A living donor may face financial challenges in meeting expenses related to their donation. Mechanisms are available to assist living donors in meeting these expenses. Federal law and related regulations place some limitations on these mechanisms, and are outlined in this policy. These limitations relate to donor motivation. Federal law prohibits organ donation if the donor's motive is to sell the organ or otherwise profit financially from the donation, but allows the donor to obtain reimbursement for the expenses associated with organ donation, including lost wages from lost time at work.

Purpose

This Policy outlines the Maine Transplant Program's processes for addressing regulatory requirements regarding living donors: evaluation of donor motivation, education, and opportunities for financial assistance. Through the steps outlined in this policy, Maine Medical Center will comply with federal and regulatory guidelines that require that MMC assess a potential donor's motives to donate, and obtain satisfactory assurances that the donor's decision is free from enticements or coercion.

Procedure:

1. A potential donor will receive a form entitled *Consent to Be Evaluated to Become a Living Kidney Donor*. This Consent form must be signed by potential donor prior to the evaluation of the donor as a motivationally appropriate candidate for donation. The Consent will notify the potential donor that Section 301 of National Organ Transplant Act of 1984 (NOTA) makes it a federal criminal offense "for any person to knowingly acquire, receive, or otherwise transfer any human organ for valuable consideration for use in human transplantation if the transfer affects interstate commerce." This law contains an exception permitting a person to acquire, receive or transfer an organ for reasonable payments associated with the removal of a human organ; and the expenses of travel, housing, and lost wages incurred by the donor of a human organ in connection with the donation of the organ.
2. MMC will also furnish the potential donor with *Living Kidney Donor Rights* form, which will be explained by the RN Coordinator. This form must also be signed by the potential donor during the evaluation process and further confirms the potential donor's understanding of the NOTA
3. All potential donors will meet with the Transplant Financial Counselor to discuss financial aspects of living organ donation. The Financial Counselor will review each donor's financial situation, and estimate the financial impact of donation by examining the direct and indirect donor related expenses to include miscellaneous medical expenses, transportation, child care, lodging, and lost wages and provide education and guidance. A financial toolkit including planning and information resources will be provided to each donor.
4. Life insurance information is reviewed with all living donors. Donors are encouraged to obtain life insurance prior to Living Donation surgery, to avoid the risk of being deemed with preexisting condition.
5. Living donors are also advised to review any existing life insurance policies for any exclusions related to organ donation.
6. When appropriate, the Transplant Financial Counselor will furnish to a potential living donor information regarding financial assistance opportunities for living donors through the National Living Donor Assistance Center (NLDAC). MMC's Social Worker and the Transplant Financial Counselor are available to assist the potential donor with applications, questions, or need for further information. The Financial Coordinator will educate all Living Donors of the financial assistance benefits, referred to as the Donor Shield Benefits, offered by the National Kidney Registry, with the

understanding the Donor Shield Benefits will apply only to donors entering into the NKR, the donor would be instructed to refer to the NKR website for the latest and most up to date benefit information. In addition, the Transplant Financial Counselor will also furnish the potential donor with an information sheet regarding recommended fundraising practices. MTP recommends that potential donors pursue any fundraising through non-profit donation organizations that specialize in medical fundraising and demonstrate compliance with federal restrictions regarding organ donation. In the event a fund raising initiative exceeds the estimated expenses, MMC recommends that the surplus be donated to recognized charities.

7. Non-directed donors will be evaluated and educated in accordance with MTP Policy, *Non-directed Organ Donors*. Per CMS and UNOS regulations, each potential living donor will receive a complete evaluation by the Living Donor team to include medical, psychosocial, financial, nutrition, pharmacy, and the Independent Living Donor Advocate. Potential donors will be presented at the Transplant Committee Review, where any concerns regarding donor motivation will be reviewed and considered in the acceptance process.
8. If there exists a difference of opinion between the Independent Living Donor Advocate and members of the transplant team at Transplant Committee Review regarding donor motivation, a joint meeting of the Transplant Program leadership and the Clinical Ethics Committee will be convened per the Living Donor Advocacy Program Policy to resolve the difference.

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