



Fact Sheet – HB4332

An act concerning nondiscrimination in access to organ transplantation

Sponsored by Rep. James Cantwell

- The members of the Massachusetts Down Syndrome Congress respectfully request that you support the passage of HB4332, An Act concerning nondiscrimination in access to organ transplantation. After a public hearing held in October 2105, the Joint Committee on Public Health recently voted the bill out favorably to the Joint Committee on Health Care Financing.
- Please contact your State Representative and State Senator TODAY and ask them to sign their names to a Letter of Support that State Rep. James Cantwell will be sending to the Joint Committee on Health Care Financing. You can find your local legislator at: http://openstates.org/find_your_legislator/
- Although HB4332 is sponsored by the MA Down Syndrome Congress, support and advocacy for this bill spans the disabilities community, including the MA Developmental Disabilities Council (MDDC), which has categorized it as a priority bill for this legislative session.
- HB4332 would prohibit disability-based discrimination by doctors, hospitals and medical organizations – any federally funded organization covered under the Americans with Disabilities Act and the Rehabilitation Act – when determining what patient is eligible to receive an organ transplant.
- The most common reason for deciding against an organ transplant for a patient with a disability is the misconception that people with disabilities – especially those with intellectual, developmental or psychiatric disabilities – are unable to manage complicated post-operative treatment plans and that, as a result, people with disabilities are less likely to benefit from the transplant.
- Providers may also incorrectly assume that people with disabilities have a lower quality of life than people without disabilities and they would not benefit as much from life-saving transplants.
- Under this legislation, denying transplantation on the basis of a person's supposed lower quality of life or inability to consent would amount to illegal or unjustified discrimination.
- Although this may be an uncommon occurrence in Massachusetts, this legal protection should be in place to prevent the possibility of transplantation discrimination in the future.

Your support for HB4332 will offer much needed protection for our most vulnerable citizens. Thank you, in advance, for your support!

MDSC Mission Statement

To ensure individuals with Down syndrome in Massachusetts are valued, included, and given the opportunities to pursue fulfilling lives by providing information, networking opportunities, and advocacy for people with Down syndrome and their families, educators, health care professionals, and the community-at-large.