



PRESS RELEASE

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AMERICAN SOCIETY OF NEPHROLOGY COMMENDS INTRODUCTION OF RESTORE PROTECTIONS FOR DIALYSIS PATIENTS ACT

Washington, DC (December 21, 2023) —On behalf of the more than 37 million Americans living with kidney diseases, including the more than 800,000 with kidney failure, the American Society of Nephrology (ASN) commends the bipartisan introduction of the Restore Protections for Dialysis Patients Act by Representatives Kelly, Clarke, Davis, Dunn, Joyce, and Ruiz. This important legislation will address a reduction in scope of the Medicare Secondary Payer Act by a 2022 ruling of the United States Supreme Court.

Most people with kidney failure qualify for Medicare coverage regardless of age or income. In 1981, Congress amended the Medicare Secondary Payer Act to protect people with kidney failure's access to private insurance for up to 30 months after qualifying for Medicare coverage. During this period, private insurers must remain the primary payer for kidney failure management for those who have private insurance.

"The Restore Protections for Dialysis Patients Act will protect people receiving dialysis' access to private insurance and mitigate the most drastic consequences of a 2022 Supreme Court decision" said Michelle A. Josephson, MD, FASN, ASN President. "These potential impacts include loss of coverage of critical services and medications provided through employer plans and loss of coverage for family members upon kidney failure diagnosis."

The Restore Protections for Dialysis Patients Act clarifies the protections offered under the Medicare Secondary Payer Act to prevent insurers from discriminating against people receiving dialysis. A Supreme Court decision in June 2022 created a pathway for insurers to drastically reduce benefits to people receiving dialysis, such as below cost reimbursement of services and network exclusion.

About ASN

Since 1966, ASN has been leading the fight to prevent, treat, and cure kidney diseases throughout the world by educating health professionals and scientists, advancing research and innovation, communicating new knowledge and advocating for the highest quality care for patients. ASN has nearly 21,000 members representing 140 countries. For more information, visit www.asn-online.org and follow us on [Facebook](#), [X](#), [LinkedIn](#), and [Instagram](#).