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June 5, 2018

The Honorable Todd Young
400 Russell Senate Office Building
Washington, DC 20510

The Honorable Bill Nelson
716 Hart Senate Office Building
Washington, DC 20510

The Honorable Dean Heller
324 Hart Senate Office Building
Washington, DC 20510

The Honorable Michael Bennet
261 Russell Senate Office Building
Washington, DC 20510

Dear Senator Young, Senator Nelson, Senator Heller, and Senator Bennet:

On behalf of the more than 80,000 members of the American College of Surgeons (ACS), I would like to express our concern and opposition for the Dialysis PATIENTS Demonstration Act (H.R. 4143/S.2065). ACS understands the need to improve care coordination while promoting value-based care for patients with End Stage Renal Disease (ESRD). However, we believe this legislation has unintended consequences and fundamental risks associated with it. These risks include:

- **Restricting patient choice** by automatically enrolling patients in the model and not permitting changes, regardless of their care experience, for one year.
- **Exacerbating existing silos of care** by excluding patients with earlier kidney diseases and missing critical opportunities to slow or prevent progression to kidney failure as well as improve patients' lives and avoid more costly care.
- **Excluding transplanted patients from the model** by not including a transplantation therapy option, which for most patients improves health outcomes and lowers overall costs.

For patients with ESRD who are healthy enough to receive a transplant, doing so can be one of the best treatment options. Kidney transplantation has also been widely demonstrated to be the most cost-effective, long-term treatment for patients with ESRD. However, if implemented, the Dialysis PATIENTS Demonstration Act could create incentives that could sharply curtail the access to this potentially life-saving treatment option for Medicare beneficiaries with ESRD. It is for this reason, that ACS must oppose the Dialysis PATIENTS Demonstration Act in its current form.

If you have any questions, please feel free to contact Mark Lukaszewski at mlukaszewski@facs.org or 202-256-8104.

Sincerely,

David B. Hoyt, MD, FACS
Executive Director

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