



Senate Public Health & Welfare Committee

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Presented by:

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Executive Director

NAMI Kansas is the state organization of the National Alliance on Mental Illness, a grassroots organization whose members are individuals living with mental illnesses and their family members who provide care and support. NAMI Kansas provides programs of peer support and education by and for our members through a statewide network of 15 local affiliates. We advocate for individuals who are living with mental illness to ensure their access to treatment and supportive services.

We urge you to support HB 2343.

People with disabilities, including but not limited to mental illness, should not be discriminated against and denied access to organ transplants just because they have a disability.

The extent of discrimination against individuals with mental illness is well documented.

- Doctors unfortunately share the public's prejudice against people with mental illness.
- A survey of transplant centers found that active schizophrenia was an “absolute contraindication” to transplantation in 92% of cardiac units, 67% of liver units, and 73% of renal units.
- During an 11-year period of a heart transplantation program in Montreal, 226 transplants were completed, and 28 people were denied the procedure on the basis of a psychiatric diagnosis.

The denial of transplantation on the basis of schizophrenia or non-compliance violates the Americans with Disabilities Act. However, getting those rights enforced in federal law is hard. You’ve heard the phrase “make a federal case” out of something? Well, that phrase most likely came about because it is very difficult, time consuming, and expensive to file a case in federal court, on issues like the Americans with Disabilities Act. That is why several states have passed similar laws to the bill before you today, to proactively put in state law and state policy these rights and protections.

If someone is medically justified to receive a transplant, it should never matter what their disability or psychiatric “label” happens to be.

Thank you for your attention to this life-saving issue.

References cited in this testimony:

1. Masterston G. Psychosocial factors in selection for liver transplantation. *BMJ*. 2000;320:263–264. . (29 January.) [[PMC free article](#)] [[PubMed](#)]
2. Levenson JL, Oldbrisch ME. Psychosocial evaluation of organ transplant candidates. *Psychosomatics*. 1993;34:314–323. [[PubMed](#)]
3. Phipps L. Psychiatric evaluation and outcomes in candidates for heart transplantation. *Clin Invest Med*. 1997;29:388–395. [[PubMed](#)]
4. American Psychiatric Association. Position statement on discrimination against persons with previous psychiatric treatment. *Am J Psychiatry*. 1997;154:7. [[PubMed](#)]
5. Orentlicher D. Psychosocial assessment of organ transplant candidates and the Americans with Disabilities Act. *Gen Hosp Psychiatry*. 1996;18(suppl 6):5–12. [[PubMed](#)]