Despite Shortage, Some U.S. Hospitals Aren't Prioritizing Americans for Organ Transplants

November 28, 2017

In the midst of an ongoing organ shortage across the United States, some transplant advocates are speaking out against a policy that allows hospitals to give donated livers to foreign nationals, many of whom fly to the country specifically for the surgery, a new exposé from ProPublica and Fox 8 WVUE New Orleans reports.

The policy is little known to the public, but it allows organs donated domestically to be given to patients who fly in from other countries and often pay a premium for access to those organs. Some hospitals, like the Ochsner Medical Center in New Orleans, sometimes even court such medical tourism for transplants. While foreign nationals must wait their turn on an organ waiting list just like everyone else, they are less likely to be rooted in any one state and thus can travel to areas where wait times may be shorter. Some advocates argue that allocating domestic organs to foreigners while Americans die waiting is unfair.

According to the report, between 2013 and 2016, 252 foreign individuals came to the United States solely to receive livers at American hospitals. Most of the recipients hailed from countries in the Middle East, such as Saudi Arabia, Kuwait, Israel and the United Arab Emirates. Meanwhile, more than 14,000 people, nearly all of them American citizens, are waiting for transplants, as fewer than 8,000 such surgeries are performed every year. Last year, more than 2,600 Americans were removed from waiting lists either because they died or became too sick for a transplant.

Among those speaking out against the legal and so-called humanitarian policy are Sander Florman, MD, director of the transplant institute at Mount Sinai Hospital in New York, Herbert Pardes, MD, executive vice president of the board at NewYork–Presbyterian Hospital and medical researchers at the Indiana University School of Liberal Arts, who published an article last year arguing that foreigners should be last in line for U.S. transplants.

That said, the number of available livers given to foreigners is still small — they made up fewer than 1 percent of transplants nationwide between 2013 and 2016. What's more, many hospitals that give organs to foreigners perform the majority of lifesaving transplants on children. The number of donated organs distributed to non-U.S. citizens also appears to be dropping in 2017.

The debate over liver allocation is making headlines now because next month, the nation’s transplant leaders will be meeting to consider rewriting the rules on how livers are distributed across the United States. The meeting could potentially give programs in New York City, Los Angeles, Chicago and other big cities greater access to organs from folks who die in nearby states and regions. However, the United Network on Organ Sharing maintains that it is up to individual hospitals to decide who to operate on and is reluctant to use citizenship or residency as a basis for accepting patients.

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