



PROTECTION & ADVOCACY PROJECT

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**Senate Judiciary Committee
Senate Bill 2302 – February 1, 2023
Testimony of Daniel Gulya, P&A Attorney**

The North Dakota Protection and Advocacy Project (P&A) protects the human, civil and legal rights of people with disabilities. The agency's programs and services seek to make positive changes for people with disabilities where we live, learn, work and play.

P&A supports SB 2302 as a civil rights protection in the organ transplantation process. The entities that organize organ transplantation explicitly bar discrimination on the basis of political influence, national origin, ethnicity, sex, religion, or financial status. Disability, however, is not included in that list.

Transplant programs often use additional nonmedical evaluation of patients for transplantation. This allows subjective metrics that treat people with disabilities as less desirable transplant recipients. Because people with disabilities have continued to face discrimination in the allocation of organs for transplantation, over 20 other states including South Dakota and Montana have adopted additional protections in their state laws.

P&A's belief is that a person's disability should only be considered to the extent it expressly impairs a successful transplantation. Medical decisions should be made on a medical basis.

As this bill ensures that North Dakota will remain at the forefront of those states that treat each citizen as equal under the law, P&A requests your DO PASS vote for this bill.

Thank you.