



Testimony of Anthem Blue Cross and Blue Shield
Neither For Nor Against L.D. 1055,
“An Act to Prohibit Discrimination in Access to Anatomical Donations
and Organ Transplants”
March 27, 2025

Good afternoon, Senator Bailey, Representative Gramlich, and Members of the Health Coverage, Insurance, and Financial Services Committee. My name is Kristine Ossenfort, and I am the Senior Government Relations Director for Anthem Blue Cross and Blue Shield in South Portland, Maine. I appear before you this morning to testify neither for nor against ***L.D. 1055, An Act to Prohibit Discrimination in Access to Anatomical Donations and Organ Transplants.***

Carriers are prohibited from discriminating against members based on a disability—we are subject to guaranteed issue, meaning that we generally cannot refuse to sell or renew coverage to anyone seeking to purchase a plan, nor can we charge higher premiums to someone with a disability.

There are instances, however, when an individual’s disability may mean that donation or transplant are contraindicated—that the individual is not a candidate for organ donation or transplantation based on certain conditions. Some of those conditions fall within the definition of “physical or mental disability” under the Maine Human Rights Act and, as rafted, L.D. 1055 would require that transplants be performed by providers and covered by insurance even when a transplant is contraindicated under generally accepted guidelines.

We follow the national guidelines established by organizations such as the American Society of Transplantation¹. If the Committee is interested in pursuing this legislation,

¹ American Society of Transplantation (AST) in *Guidelines for the Referral and Management of Patients Eligible for Solid Organ Transplantation* (2001)

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we urge you to amend the bill to clarify that a determination by a provider or a carrier than someone is ineligible for a transplant due to contraindications as established by organizations such as the American Society of Transplantation does not constitute discrimination based on disability.

Thank you for the opportunity to share our concerns with L.D. 1055. I would be happy to answer any questions you may have either now or at your work session.