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Steve Juarez, Associate Vice President and Director

May 27, 2016

The Honorable Edmund G. Brown, Jr.  
Governor of the State of California  
State Capitol  
Sacramento, CA 95814

**Re: SB 1408 (Allen)—REQUEST FOR SIGNATURE**

Dear Governor Brown:

The University of California (UC) is pleased to support SB 1408, which will permit the transplantation of HIV positive organs to HIV positive individuals under certain conditions. If enacted, the legislation will reverse a 1991 law intended to protect the tissue and organ supply against intentional donation of infected organs. Scientific and federal legislative developments since that time support lifting the current ban.

The advent of effective anti-retroviral treatment has turned HIV, once considered an automatic death sentence, into a treatable chronic disease. Because they are living longer lives, some infected individuals have suffered injuries, illnesses, or other life-threatening conditions that are treatable with organ transplantation. There are currently 121,220 patients (HIV positive and negative) on the Organ Procurement and Transplantation Network's (OPTN's) waiting list; each day an average of 22 patients die waiting for an organ. Experts estimate that each year, more than 500 otherwise healthy HIV-positive individuals will die under circumstances that would make their organs available for transplant. However, until recently, both U.S. and California law prohibited the transplantation of HIV infected organs to anybody, including HIV infected patients. This prohibition exacerbates the shortage of healthy organs available for transplant.

The federal government recognized this in 2013, when the HIV Organ Policy Equity (HOPE) Act was passed and signed into law to repeal the federal ban on transplantation of HIV positive organs. In November 2015, the Health Resources & Services Administration (HRSA) made changes to OPTN policies and systems to implement the HOPE Act, and on March 30, 2016 Johns Hopkins University Medical Center transplanted a kidney and a liver from an HIV positive cadaver donor to two HIV positive individuals.

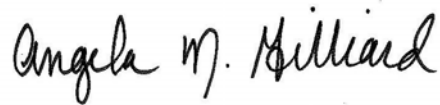
With essential grant support from the State of California, UC San Francisco (UCSF) performed the pioneering research that demonstrated that organ donation to HIV positive recipients is safe and effective. This research has been credited for setting in motion the changes in scientific

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understanding and medical knowledge that made the HOPE Act possible. UCSF is qualified and ready to proceed with similar life-saving procedures, but cannot do so unless California's ban is lifted. As I write this letter, more than 60 UCSF patients who are HIV positive are waiting for transplants that could ensure they live longer, healthier lives.

SB 1408 would permit the transplantation of HIV positive organs in a manner consistent with federal law. Due to the condition of some liver patients in particular, UC also believes this to be an urgently needed change to California law. As always, we appreciate your consideration of our views. If you have any questions please do not hesitate to contact me at (916) 445-9924.

Sincerely,

A handwritten signature in black ink that reads "Angela M. Gilliard". The signature is written in a cursive, flowing style.

Angela M. Gilliard  
Legislative Director

cc: President Janet Napolitano  
Executive Vice President & CFO Nathan Brostrom  
Executive Vice President John Stobo  
Senior Vice President Nelson Peacock  
Associate Vice President and Director Steve Juarez