



U.S. House of Representatives

COMMITTEE ON WAYS AND MEANS

1139 LONGWORTH HOUSE OFFICE BUILDING

Washington, DC 20515

July 23, 2025

Carolyn Welsh
President and CEO
New Jersey Organ and Tissue Sharing Network
691 Central Ave.
New Providence, NJ 06964

Ms. Welsh:

We write to inquire about the Medicare reimbursements received by the New Jersey Organ and Tissue Sharing Network (“NJ Sharing Network”) for pancreatic research, as well as any reimbursements for kidneys that were labeled “intent to transplant” that were ultimately never transplanted. The Committee on Ways and Means (the “Committee”) has received concerning reports claiming that your organization has been receiving Medicare reimbursements for unperformed research and knowingly collecting kidneys that are not suitable for transplant to continue the recovery process and receive reimbursement. The Committee is seeking information related to those reimbursements received by the NJ Sharing Network, including the type of research that was reported to Medicare and whether it was performed, the amount of Medicare reimbursement received for this research, and information related to the recovery of non-suitable kidneys.

As you are aware, the Committee issued a Request for Information (“RFI”) on April 16, 2025, to elicit public information as it relates to Organ Procurement Organizations (“OPOs”) and their ability to receive Medicare reimbursement for organ acquisition and transplant costs, the use of OPOs’ resources, and executive compensation.¹ The RFI garnered a substantial response, including allegations regarding the NJ Sharing Network receiving Medicare reimbursements for research, in which the research itself was never performed. The respondents also noted NJ Sharing Network may be seeking to recover non-suitable kidneys for transplant in order to obtain profitable tissue and other organs for research and shifting overhead costs through kidney reimbursements.

One submission states that your organization would recover pancreas with the knowledge it would not be viable for research and still offer these pancreases to research facilities. When those legitimate research facilities would decline your offer, your organization would allegedly keep the organ internally for “research” that was never performed. The claims state that this

¹ Letter from Jason Smith et al., Chairman, H. Comm. on Financial Serv., Request for Information: Activities of Tax-Exempt Organ Procurement Organizations (April 16, 2025).

resulted in organs being left in freezers or incinerated rather than being used for its stated research purpose. In a similar vein, a whistleblower alleged that your organization knowingly recovered kidneys that were not suitable for transplant to continue the recovery process and obtain pancreas for research as well as tissue to be sold for profit, again without completing the reported research. The whistleblower claims further allege that these recovery schemes resulted in Medicare reimbursements that were potentially fraudulent or otherwise abusive of the Medicare system.

We commend the work of your organization, and many others like yours, who provide such a vital service to our communities. However, the allegations that your organization has been reimbursed for research that was never performed requires further review. These allegations related to research reimbursements are even more concerning in light of the fact that the Committee has recently received a whistleblower claim that states a NJ Sharing Network treated a donor in a way that mirrors the actions of Kentucky Organ Donor Affiliates in the recently released Health Resources and Services Administration report.² The Committee wants to ensure that the finite resources of OPOs are focused on serving the designated service areas to the fullest extent possible. We are concerned that if this allegation is proven to be true, that your organization, along with other OPOs, are being reimbursed for your own profit, rather than for your tax-exempt purpose – which is to procure organs and save lives. To help the Committee better understand what reimbursements NJ Sharing Network has received from Medicare for research, please provide the documents requested and answers to the following questions by August 6, 2025.

1. Please provide data regarding Medicare Cost Reports (“MCR”) that include reimbursements for research and reimbursements for organs coded as “intent to transplant,” but were ultimately not transplanted between January 1, 2020, and April 16, 2025.
2. Please provide information related to organs designated for research, what research was performed, who performed the research, and if the research was internal, the cost incurred by NJ Sharing Network to perform that research between January 1, 2020, and April 16, 2025.
3. Please provide statistics related to how many kidneys NJ Sharing Network recovered that were coded as “intent to transplant” but ultimately not transplanted between January 1, 2020, and April 16, 2025.
4. For each kidney, or set of kidneys, recovered as described in question 3, please provide information regarding what other organs were recovered from the same donor as the kidneys, whether those organs were designated for research, and the amount reimbursed by Medicare for that research.

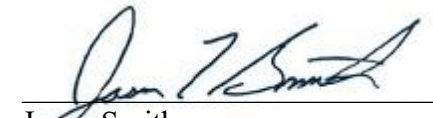
² SEE HEALTH RESOURCES & SERV. ADMIN., U.S. DEP’T OF HEALTH AND HUMAN SERV., HRSA-DIRECTED INVESTIGATION INTO KYDA (Mar. 24, 2025).


5. For each kidney, or set of kidneys, recovered as described in question 3, please provide information regarding whether tissue was recovered from the same donor as the kidneys, including what type of tissue was recovered, the disposition of the tissue, and what income NJ Sharing Network accrued from the tissue, if said tissue was sold.
6. Describe all personal financial interests or business relationships you and/or other board members, executives, or senior management at NJ Sharing Network, or any related entity (such as foundations, institutes, and other non-profit organizations) had from 2015 to the present, with any for-profit or non-profit organization that conducts business with or maintains, or has maintained, service contracts with NJ Sharing Network or other OPTN member.
7. For each personal financial interest and business relationship described in question 6, please provide all records. "Records" include all written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (e-mails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether they resulted in final documents).

Thank you in advance for your time and responses. If you have any questions, please contact Ways and Means Majority Committee staff at (202) 225-3625.

Pursuant to Rule X, clause 1(t) of the Rules of the House of Representatives, the Committee on Ways and Means has jurisdiction over matters related to tax-exempt organizations and the Medicare reimbursement system.³ Oversight authority of this jurisdiction is delegated to the Committee under Rule X clause 2.⁴

Sincerely,



Jason Smith
Chairman
Committee on Ways and Means

David Schweikert
Chairman
Subcommittee on Oversight
Committee on Ways and Means

³ Rule X, clause 1(t), Rules of the House of Representatives, (119th Cong.).

⁴ Rule X, clause 2, Rules of the House of Representatives, (119th Cong.).