



# U.S. House of Representatives

COMMITTEE ON WAYS AND MEANS

1139 LONGWORTH HOUSE OFFICE BUILDING

Washington, DC 20515

September 3, 2025

Barry C. Massa  
Chief Executive Officer  
Network for Hope  
615 Elsinore Place, Suite 400  
Cincinnati, Ohio 45202

Mr. Massa:

We write to request certain documents and inquire about potential conflicts of interest, accounting records, and Medicare Cost Reports (“MCR”) submitted by you and your predecessor organizations, Kentucky Organ Donor Affiliates (“KODA”) and LifeCenter Organ Donor Network (“LifeCenter”), the internal operations of both KODA and LifeCenter prior to the October 2024 merger,<sup>1</sup> and the current operations of Network for Hope, the successor organization. The Committee on Ways and Means (“the Committee”) is alarmed by the Health Resources & Services Administration (“HRSA”) report which found that KODA officials pushed hospital workers toward organ recovery despite signs of revival in patients,<sup>2</sup> and we want to examine the extent to which your organization is being reimbursed by Medicare for substandard and unsafe patient safety procedures during cases in which your organization may have operated outside of the standard of care or the law.

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.<sup>3</sup> Oversight authority of this jurisdiction is delegated to the Committee under Rule X clause 2.<sup>4</sup> Given the nature of Network for Hope’s status as a tax-exempt organization that receives reimbursements through Medicare,<sup>5</sup> the Committee has jurisdiction over the Network for Hope.

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<sup>1</sup> Press Release, *OPTN Executive Committee approves changes to two regions*, Organ Procurement and Transplantation Network (Oct. 24, 2024), <https://optn.transplant.hrsa.gov/news/optn-executive-committee-approves-changes-to-two-regions/> [hereinafter “Merger Press Release.”].

<sup>2</sup> See HEALTH RESOURCES & SERV. ADMIN., U.S. DEP’T OF HEALTH AND HUMAN SERV., HRSA-DIRECTED INVESTIGATION INTO KYDA (Mar. 24, 2025), [hereinafter “HRSA Report”].

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

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

<sup>5</sup> U.S. DEP’T OF TREASURY, INTERNAL REVENUE SERVICE, 2023 Return of Organization Exempt from Income Tax (Form 990): Kentucky Organ Donor Affiliates, PROPUBLICA (2023), <https://projects.propublica.org/nonprofits/organizations/611122515/202432859349301543/full>, [hereinafter “2023 Form 990”].

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.<sup>6</sup> The RFI also highlighted several reports conducted by the Department of Health and Human Services (“HHS”) Office of Inspector General (“OIG”) which found that OPOs’ unallowable costs are being reimbursed with taxpayer dollars.<sup>7</sup> Due to these efforts, the Committee has obtained information that raises concerns related to your MCRs and potential incentive structure issues throughout the organ procurement industry.

In 2021, KODA generated a total revenue of over \$33.5 million,<sup>8</sup> and in 2022 reported total revenue of over \$42.1 million.<sup>9</sup> In 2023, KODA reported total revenue of over \$52.6 million, a \$19 million increase in just two years.<sup>10</sup> Furthermore, KODA’s 2023 Internal Revenue Service Form 990 states that your organization generated over \$5.8 million from tissue revenue,<sup>11</sup> a \$1.2 million increase from 2022,<sup>12</sup> and a \$2.2 million increase from tissue revenue since 2021.<sup>13</sup> We highlight these factors in light of the concerning *New York Times* article from June 2025, which reported that a HRSA investigation found KODA ignored signs of alertness, pain, or distress in dozens of patients who were being prepared for organ removal procedures,<sup>14</sup> all while your organization increased its total revenue by over \$19 million.

HRSA’s KODA investigation report found that, of roughly 350 cases handled by KODA from 2021 to 2024 in which plans to remove organs were ultimately canceled, there were 73 instances that should have prompted officials to have considered stopping sooner because the patients had high or improving levels of consciousness.<sup>15</sup> Considering the increased number of organs recovered in 2023<sup>16</sup> and the increase in your acquisition and administrative costs that

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<sup>6</sup> 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).

<sup>7</sup> *Id.*

<sup>8</sup> U.S. DEP’T OF TREASURY, INTERNAL REVENUE SERVICE, 2021 Return of Organization Exempt from Income Tax (Form 990): Kentucky Organ Donor Affiliates, PROPUBLICA (2021), <https://projects.propublica.org/nonprofits/organizations/611122515/202202709349300820/full> [hereinafter “2021 Form 990”].

<sup>9</sup> U.S. DEP’T OF TREASURY, INTERNAL REVENUE SERVICE, 2022 Return of Organization Exempt from Income Tax (Form 990): Kentucky Organ Donor Affiliates, PROPUBLICA (2022), <https://projects.propublica.org/nonprofits/organizations/611122515/202322659349300817/full> [hereinafter “2022 Form 990”].

<sup>10</sup> 2023 Form 990.

<sup>11</sup> *Id.*

<sup>12</sup> 2022 Form 990, *supra* note 6.

<sup>13</sup> 2021 Form 990, *supra* note 5.

<sup>14</sup> See Brian M. Rosenthal, *Doctors Were Preparing to Remove Their Organs. Then They Woke Up*, NEW YORK TIMES (June 6, 2025), <https://www.nytimes.com/2025/06/06/us/kentucky-organ-donations.html>.

<sup>15</sup> HRSA Report, *supra* note 2.

<sup>16</sup> Press Release, *Kentucky organ donor affiliates announces 2023 with 693 lives saved*, LANE REPORT (Jan. 22, 2024), <https://www.lanereport.com/170373/2024/01/kentucky-organ-donor-affiliates-announces-2023-with-693-lives-saved/>.

year,<sup>17</sup> the Committee is concerned that your organization has received taxpayer funds through Medicare reimbursements for cases in which patients had high or improving levels of consciousness.

HRSA's investigation into the actions of KODA prompted responses from state and federal officials. The office of Russell Coleman, the Kentucky Attorney General, told the *New York Times* that they are launching an investigation into one of the cases that HRSA investigated.<sup>18</sup> Additionally, on July 21, HHS Secretary Robert F. Kennedy, Jr. announced an initiative to reform the organ transplant system following HRSA's findings.<sup>19</sup> On July 23, the Committee held a roundtable with Centers for Medicare & Medicaid Services ("CMS") Administrator Dr. Mehmet Oz where we discussed the Committee's investigation into OPOs as well as CMS's plans to address concerning issues. The Committee is glad that Kentucky Attorney General Coleman, HHS Secretary Kennedy, and CMS Administrator Oz are taking this issue seriously and we look forward our continued work with them.

Given the nature of Network for Hope's status as a tax-exempt organization that receives reimbursements through Medicare, the Committee is seeking to better understand the extent to which your organization has engaged in Medicare fraud by billing taxpayers for unallowable costs and costs related to the patient safety cases highlighted by HRSA. Additionally, the Committee wants to ensure that your organization is not using Network for Hope's financial resources outside of the organization's charitable purpose or to enrich board members or senior leadership. Oversight is not only warranted but necessary to uphold the public's trust in the organ transplant system and ensure the responsible stewardship of taxpayer dollars in the delivery of care.

To help the Committee better understand if Network for Hope is inappropriately billing Medicare in violation of the False Claims Act and learn more about Network for Hope's financial decision-making processes in light of recent reports, please provide the documents requested and answers to the following questions by September 17, 2025.

For the purposes of the document request below, "Network for Hope" shall be understood to include its predecessor organizations, KODA and LifeCenter, with respect to all relevant records, communications, and activities that occurred prior to their merger into Network for Hope. Accordingly, this request encompasses documents created, maintained, or held by KODA and LifeCenter during the specified time period prior to the effective date of the merger.

1. Please provide copies of all general ledgers containing accounting records, along with supporting documentation, as well as your Medicare Cost Reports since 2021.

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<sup>17</sup> 2023 Form 990

<sup>18</sup> Brian M. Rosenthal, *Doctors Were Preparing to Remove Their Organs. Then They Woke Up*. NEW YORK TIMES (June 6, 2025), <https://www.nytimes.com/2025/06/06/us/kentucky-organ-donations.html>.

<sup>19</sup> Press Release, HHS Finds Systemic Disregard for Sanctity of Life in Organ Transplant System, U.S. Department of Health and Human Services (July 21, 2025), <https://www.hhs.gov/press-room/hrsa-to-reform-organ-transplant-system.html>.

2. Describe all personal financial interests or business relationships you and/or other board members, executives, or senior management at Network for Hope, or any related entity (such as foundations, institutes, and other non-profit organizations) had from 2021 to the present, with any for-profit or non-profit organization that conducts business with or maintains, or has maintained, service contracts with Network for Hope or other Organ Procurement and Transplantation Network member.
3. For each personal financial interest and business relationship described in question 2, 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).
4. Please provide all records<sup>20</sup> documenting issues identified by individuals employed by Network for Hope identifying issues or questions associated with Network for Hope’s policies, conduct, practices, or procedures with respect to a federal health care program believed by the individual to be a potential violation of criminal, civil, or administrative law.
5. 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 Network for Hope to perform that research between January 1, 2020, and April 16, 2025.
6. Please provide statistics related to how many kidneys Network for Hope recovered that were coded as “intent to transplant” but ultimately not transplanted between January 1, 2020, and April 16, 2025.
  - a. For each kidney, or set of kidneys, recovered as described in question 6, 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.
  - b. For each kidney, or set of kidneys, recovered as described in question 6 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

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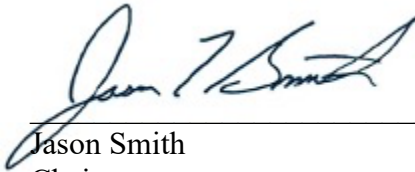
<sup>20</sup> “Records” include all written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (e-mails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether they resulted in final documents).

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tissue, and what income Network for Hope accrued from the tissue, if said tissue was sold.

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.

Sincerely,



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Jason Smith  
Chairman  
Committee on Ways and Means



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David Schweikert  
Chairman  
Subcommittee on Oversight  
Committee on Ways and Means