

119TH CONGRESS
1ST SESSION

H. R. 2114

To amend titles XVIII and XIX of the Social Security Act, title XXVII of the Public Health Service Act, and the National Organ Transplant Act to prohibit certain organ transplants with specified connections to the People's Republic of China.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2025

Mr. DUNN of Florida (for himself, Mr. BILIRAKIS, and Mr. MOOLENAAR) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend titles XVIII and XIX of the Social Security Act, title XXVII of the Public Health Service Act, and the National Organ Transplant Act to prohibit certain organ transplants with specified connections to the People's Republic of China.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Block Organ Trans-
3 plant Purchases from China Act of 2025” or the “Block
4 Act of 2025”.

5 **SEC. 2. PROHIBITING CERTAIN ORGAN TRANSPLANTS.**

6 (a) **MEDICARE.**—Section 1862(a) of the Social Secu-
7 rity Act (42 U.S.C. 1395y(a)) is amended—

8 (1) in paragraph (24), by striking “or” at the
9 end;

10 (2) in paragraph (25), by striking the period at
11 the end and inserting “; or”; and

12 (3) by inserting after paragraph (25) the fol-
13 lowing new paragraph:

14 “(26) where such expenses are for—

15 “(A) a prohibited organ transplant (as de-
16 fined in section 402(d) of the National Organ
17 Transplant Act) furnished on or after January
18 1, 2026; or

19 “(B) any item or service furnished on or
20 after January 1, 2026, in connection with such
21 a prohibited organ transplant, including a fol-
22 low-up appointment, laboratory test, or drug,
23 unless such item or service is furnished to save
24 the life of an individual after such individual re-
25 ceives such a prohibited organ transplant.”.

26 (b) **MEDICAID.**—

1 (1) IN GENERAL.—Section 1902(a) of the So-
2 cial Security Act (42 U.S.C. 1396a(a)) is amend-
3 ed—

4 (A) in paragraph (86), by striking “and”
5 at the end;

6 (B) in paragraph (87)(D), by striking the
7 period at the end and inserting “; and”; and

8 (C) by inserting after paragraph (87) the
9 following new paragraph:

10 “(88) provide that no payment may be made
11 under the plan for—

12 “(A) a prohibited organ transplant (as de-
13 fined in section 402(d) of the National Organ
14 Transplant Act) furnished on or after January
15 1, 2026; or

16 “(B) any item or service furnished on or
17 after January 1, 2026, in connection with such
18 a prohibited organ transplant, including a fol-
19 low-up appointment, laboratory test, or drug,
20 unless such item or service is furnished to save
21 the life of an individual after such individual re-
22 ceives such a prohibited organ transplant.”.

23 (2) CONFORMING AMENDMENT.—Section
24 1903(i) of the Social Security Act (42 U.S.C.
25 1396b(i)) is amended—

1 (A) in paragraph (26), by striking “or” at
 2 the end;

3 (B) in paragraph (27), by striking the pe-
 4 riod at the end and inserting “; or”; and

5 (C) by inserting after paragraph (27) the
 6 following new paragraph:

7 “(28) with respect to any amount expended
 8 for—

9 “(A) a prohibited organ transplant (as de-
 10 fined in section 402(d) of the National Organ
 11 Transplant Act) furnished on or after January
 12 1, 2026; or

13 “(B) any item or service furnished on or
 14 after January 1, 2026, in connection with such
 15 a prohibited organ transplant, including a fol-
 16 low-up appointment, laboratory test, or drug,
 17 unless such item or service is furnished to save
 18 the life of an individual after such individual re-
 19 ceives such a prohibited organ transplant.”.

20 (3) APPLICATION TO MANAGED CARE ENTI-
 21 TIES.—Section 1903(i) of the Social Security Act
 22 (42 U.S.C. 1396b(i)), as amended by paragraph (2),
 23 is further amended in the flush left text following
 24 paragraph (28) by striking “and (18)” and inserting
 25 “(18), and (28)”.

1 (c) PUBLIC HEALTH SERVICE ACT.—

2 (1) IN GENERAL.—Subpart II of part A of title
3 XXVII of the Public Health Service Act (42 U.S.C.
4 300gg–11 et seq.) is amended by adding at the end
5 the following new section:

6 **“SEC. 2730. PROHIBITION ON COVERAGE FOR CERTAIN**
7 **ORGAN TRANSPLANTS.**

8 “A group health plan, and a health insurance issuer
9 offering group or individual health insurance coverage,
10 may not provide coverage for—

11 “(1) a prohibited organ transplant (as defined
12 in section 402(d) of the National Organ Transplant
13 Act); or

14 “(2) any item or service furnished in connection
15 with such a prohibited organ transplant, including a
16 follow-up appointment, laboratory test, or drug, un-
17 less such item or service is furnished to save the life
18 of an individual after such individual receives such
19 a prohibited organ transplant.”.

20 (2) EFFECTIVE DATE.—The amendment made
21 by paragraph (1) shall apply with respect to plan
22 years beginning on or after January 1, 2026.

23 (d) PENALTY FOR PROVIDING CERTAIN ORGAN
24 TRANSPLANTS.—Title IV of the National Organ Trans-

1 plant Act (Public Law 98–507) is amended by adding at
2 the end the following new section:

3 **“SEC. 402. PROHIBITION ON CERTAIN ORGAN TRANS-**
4 **PLANTS.**

5 “(a) PROHIBITION.—Beginning on January 1, 2026,
6 no health care provider may furnish—

7 “(1) a prohibited organ transplant; or

8 “(2) any item or service in connection with such
9 a prohibited organ transplant, including a follow-up
10 appointment, laboratory test, or drug, unless such
11 item or service is furnished to save the life of an in-
12 dividual after such individual receives such a prohib-
13 ited organ transplant.

14 “(b) CRIMINAL PENALTY.—Any person who know-
15 ingly violates subsection (a) shall be fined under title 18,
16 United States Code, imprisoned for not more than 2 years,
17 or both.

18 “(c) CIVIL PENALTY.—

19 “(1) IN GENERAL.—The Attorney General or
20 the attorney general of a State where the prohibited
21 organ transplant or item or service described in sub-
22 section (a) is furnished may bring a civil action in
23 the appropriate United States district court against
24 any person who knowingly violates subsection (a)
25 and, upon proof of such violation by a preponder-

1 ance of the evidence, such person shall be subject to
2 a civil penalty equal to three times the cost of fur-
3 nishing such prohibited organ transplant or item or
4 service (as determined by the Secretary of Health
5 and Human Services).

6 “(2) AUTHORITY TO INTERVENE.—The Attor-
7 ney General may intervene in any civil action
8 brought by the attorney general of a State under
9 paragraph (1).

10 “(d) DEFINITIONS.—In this section:

11 “(1) HEALTH CARE PROVIDER.—The term
12 ‘health care provider’ has the meaning given such
13 term in section 1171 of the Social Security Act.

14 “(2) PROHIBITED ORGAN TRANSPLANT.—The
15 term ‘prohibited organ transplant’ means the trans-
16 plantation of a specified human organ that—

17 “(A) occurs in the People’s Republic of
18 China; or

19 “(B) transplants a specified human organ
20 that is not procured through the Organ Pro-
21 curement and Transplantation Network estab-
22 lished under section 372 of the Public Health
23 Service Act.

24 “(3) SPECIFIED HUMAN ORGAN.—The term
25 ‘specified human organ’ means the human (including

1 fetal) kidney, liver, heart, lung, pancreas, bone mar-
2 row, cornea, eye, bone, intestine (including the
3 esophagus, stomach, small intestine, large intestine,
4 and any other portion of the gastrointestinal tract),
5 any vascularized composite allograft (as defined in
6 section 121.2 of title 42, Code of Federal Regula-
7 tions (or any successor regulation)), or any subpart
8 thereof (including that derived from a fetus).”.

9 (e) RULEMAKING.—Not later than January 1, 2026,
10 the Secretary of Health and Human Services shall issue
11 such rules as are necessary to identify—

12 (1) the items and services prohibited under the
13 amendments made by this section; and

14 (2) the cost of furnishing a prohibited organ
15 transplant (as defined in section 402(d) of the Na-
16 tional Organ Transplant Act, as amended by this
17 Act) or such items and services for purposes of cal-
18 culating the civil penalty under the amendments
19 made by subsection (d).

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