



November 8, 2022

Robert M. Califf, MD
Commissioner
Food and Drug Administration
10903 New Hampshire Avenue
Silver Spring, MD 20993

Dear Dr. Califf:

On behalf of the American Society of Nephrology (ASN) and the National Kidney Foundation (NKF), thank you for leading the US Food and Drug Administration's (FDA's) efforts to ensure the safety and effectiveness of therapies and treatments for the more than 37 million Americans living with kidney diseases, including more than 800,000 people who have kidney failure.

ASN and NKF commend FDA for engaging the kidney community to improve the lives of kidney patients, particularly through the [Kidney Health Initiative](#) (KHI, a public-private partnership among ASN, FDA, and more than 100 companies and organizations in the kidney community) and the agency's work with NKF to define alternative endpoints to demonstrate the efficacy of treatments in early-stage kidney disease. Your participation in several past KHI events and previous service as a member of the Steering Committee for [KidneyX](#) (a public-private partnership between ASN and the Department of Health and Human Services [HHS]) is greatly appreciated by ASN, NKF, and the rest of the kidney community, especially kidney patients.

Health inequities and disparities challenge every aspect of the US health care, but kidney diseases are particularly prone to impact the nation's most vulnerable populations. Unfortunately, kidney diseases and kidney failure are more common among people who are Black/African American, Hispanic/Latinx, Native/Indigenous American, Native Alaskan, Asian, and Native Hawaiian or other Pacific Islander; the elderly; and people with lower socioeconomic status. All these communities have also been disproportionately affected by the COVID-19 pandemic.

An estimated 90 percent of people with kidney diseases are unaware that they are affected, even though kidney diseases are the tenth leading cause of death in the United States and kidney patients are at a significantly higher risk of cardiovascular hospitalization, kidney failure, and death. People who progress to kidney failure often require dialysis, which has a five-year survival rate of less than 50 percent—worse than nearly all forms of cancer. Meanwhile, the Medicare End-Stage Renal Disease (ESRD) Program spends more than \$50 billion annually on the care and treatment of people

with kidney failure. On average, 360 people begin dialysis treatment every 24 hours. These statistics underscore why it is imperative to invest in developing therapies that benefit these high-risk patients.

ASN and NKF appreciate that drug, device, and biologic development is challenging, especially at the current time. FDA has earned our collective praise for everything the agency did during the pandemic to evaluate new diagnostics, therapies, and vaccines under significant time pressures. Additionally, the kidney community appreciates the review and designation of accelerated or breakthrough status on several new treatment options for kidney patients.

After decades of lagging behind other diseases in terms of therapeutic development, the kidney community has recently become much more optimistic. With the onset of precision medicine, augmented intelligence, digital health, and data to support real world evidence and considerations of decentralized clinical trials, there is broad interest in developing new therapies specifically for kidney patients. For example, several recent advancements are aimed at intervening earlier, slowing progression of kidney diseases, and improving outcomes. The community is excited about the promise of new drugs, such as sodium-glucose cotransporter-2 (SGLT2) inhibitors, in preventing the progression of chronic kidney disease to kidney failure. Although, the SGLT2 inhibitor class was originally studied in individuals with type 2 diabetes, recent trials in kidney diseases and heart failure show similar benefits in individuals with and without type 2 diabetes.

ASN and NKF are committed to cultivating the growing interest in therapeutic development to benefit people with kidney diseases, as are other members of the community, such as patient advocacy groups, health professional societies, and commercial entities. On behalf of this community, ASN and NKF urge federal agencies, Congress, and other policymakers to develop a healthy ecosystem that rewards innovation while protecting individuals living with kidney diseases.

ASN and NKF remain committed to supporting the therapeutic development pipeline through programs like KHI, KidneyX, Externally-Led Patient Focused Drug Development meetings, and further analyses to support new trial endpoints, as well as through tireless advocacy for public and private funding for kidney-related research. Earlier this year, NKF established the NKF Innovation Fund “to accelerate and catalyze additional funding for innovation in kidney health by investing in primarily early-to-mid stage companies developing therapies to eliminate preventable kidney diseases, eliminate the transplant wait list, and ensure that dialysis patients have full, productive lives.” ASN has held “capital market days” to bring together kidney patients, nephrologists, investors, and other stakeholders to further interest in investments in novel therapies that meet presently unmet patient needs.

Last month, several organizations representing kidney patients and an independent group of nephrologists forwarded to HHS Secretary Xavier Becerra, JD, and you separate letters voicing their shared concerns about FDA’s recent decisions of new drug

applications (NDAs) for therapies targeting kidney diseases. Both letters referenced recent Complete Response Letters (CRLs) concerning NDAs to treat anemia, hyperphosphatemia, and metabolic acidosis. The Cochairs of the Congressional Kidney Caucus as well as the Chairs and Ranking Minority Members of the House Energy and Commerce Committee and the Senate Health, Education, Labor, and Pensions Committee were copied on these letters.

Given your longstanding support of the kidney community, the productive and greatly valued interactions ASN and NKF have had with FDA for more than a decade, efforts by our organizations and the broader kidney community to raise awareness of kidney diseases within the Biden Administration and among members of Congress and their staffs, and the fact that individual members of ASN and NKF were involved in drafting or signing both letters, we offer our help, which includes:

- Harmonizing endpoints among kidney patients, researchers, sponsor(s), and FDA. KHI—as a precompetitive, collaborative, multi-disciplinary platform—serves as a resource to FDA, bringing the expertise and input of the entire kidney community to the agency in support of developing safe and effective therapies across the spectrum of kidney care.
- Sponsoring a Patient Focused Drug Development Meeting highlighting the preferences of people living with kidney failure on dialysis.
- Establishing processes for providing constructive feedback earlier in the regulatory review process to allow sponsors to make necessary adjustments to drug development studies and assure they demonstrate safety and efficacy.
- Utilizing FDA’s labeling authority to convey risks and benefits of a therapeutic to kidney patients and health care professionals, allowing them to decide on the best course of care.
- Ensuring that participants in clinical trials designed for people living with kidney diseases accurately reflect the patient population. As highlighted earlier in this letter, kidney diseases and kidney failure are more common among people who are Black/African American, Hispanic/Latinx, Native/Indigenous American, Native Alaskan, Asian, and Native Hawaiian or other Pacific Islander; the elderly; and people with lower socioeconomic status.

We believe these proposed approaches align with FDA’s regulatory responsibilities, companies’ desire for predictability, and the interests of patients who desperately want, need, and deserve innovative therapies.

The leadership and staff of both ASN and NKF are eager to help FDA accomplish these efforts, which we believe are essential to ensuring patient safety and access to novel therapies. Both organizations stand ready to support you and your colleagues.

Again, thank you for your efforts to improve the lives of the 37 million Americans living with kidney diseases, including the more than 800,000 with kidney failure. To discuss this letter or the kidney community’s desire to continue collaborating and driving innovation on behalf of kidney patients, please contact ASN Senior Manager of Policy

and Government Affairs Ryan Murray (at 202-400-2485 or rmurray@asn-online.org) or NKF Health Policy Director Ignacio Alvarez (at 202-244-7900 x708 or Ignacio.alvarez@kidney.org).

Sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is for Susan E. Quaggin, and the signature on the right is for Sylvia E. Rosas. Both signatures are written in a cursive, flowing style.

Susan E. Quaggin, MD, FASN
President
American Society of Nephrology

Sylvia E. Rosas, MD, MSCE, FASN, FNKF
President
National Kidney Foundation