

**OPTN/UNOS Ad Hoc International Relations
Committee Meeting**

**April 15, 2009
Teleconference and Live Meeting**

INTERIM REPORT

**Gloria Garcia Bohrer – Chair
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The OPTN/UNOS Ad Hoc International Relations Committee met via telephone and Live Meeting on April 15, 2009. This report presents the Committee's discussions by agenda item.

1. Modifications to Policies 6.4.2 and 6.4.3: Next Steps

The Committee continued its discussion of revisions to Policies 6.4.2 (Developmental Protocols in International Organ Exchange) and 6.4.3 (Ad Hoc Organ Exchange). At the November 17-18, 2008 meeting of the Board of Directors, the Committee had proposed its policy modifications for review and approval. The proposed modifications did not change the scope or intent of Policies 6.4.2 and 6.4.3, but rather, added language pertaining to organ and recipient safety. At the November, 2008 Board meeting, members raised concerns about the currency of the existing policy language, as well as the party responsible for determining the legitimacy of the foreign organization. Given these concerns, the Board tabled the proposal and referred it to the Committee for deliberations.

The Committee sought feedback on its proposed policy modifications, as well as the existing language from several OPTN/UNOS Committees. On January 29, 2009, representatives from the Ad Hoc Disease Transmission Advisory Committee, Transplant Coordinators Committee, Transplant Administrators Committee, and the Organ Procurement Organization Committee met to discuss importation and exportation of deceased donor organs. This working group recommended to the Committee that the initial policy revision step would be to separate language about organ exports and imports. The labor required for coordinating an organ export is different than bringing a deceased donor organ into the United States.

On April 15, 2009, UNOS staff presented to the Committee the following outline for the policy revision:

- Goal of policy
- Objectives of policy
- Evaluation of policy impact (intended/unintended consequences)
- Monitoring of policy
- Policy language – separate import/export sections
 - Definition of import/export
 - Type of import (ad hoc versus protocol)
 - Documentation required for import/export
 - For imports...documentation required for ad hoc versus protocol

The Committee supported this policy outline. UNOS staff will draft the policy revisions, and circulate it to all interested parties. The Committee charged UNOS staff to determine how much responsibility the OPTN contractor is willing to assume in the organ import and export process.

2. Definition of Resident and Non-Resident Aliens in Policies 6.1.1 and 6.1.2

The Committee discussed a query from a community member regarding the lack of a definition about an illegal alien in Policy 6.1.1 (Non-Resident Alien). The Committee commented that transplant centers typically do not ask about a candidate's immigration status. The language in 6.1.1 (excerpted below) suggests that transplantation of illegal aliens could be a policy violation.

“A non-resident alien is an individual granted permission by the United States Government to enter the United States on a temporary basis as a non-immigrant alien for purposes which include tourism, business, education, medical care, or temporary employment.”

UNOS staff queried whether citizenship definition (e.g., resident or non-resident alien) is even necessary to include in policy.

The Committee recommended the deletion of the phrase, “granted permission by the United States Government” in Policy 6.1.1. UNOS staff commented that this deletion would warrant public comment. The Committee supported this policy revision and the required public comment proposal.

3. Review of Non-Resident Alien Transplantation Data

As indicated in Policy 6.3 (Audit), the Ad Hoc International Relations Committee reviewed the annual rates of non-resident alien transplants performed in 2008. Policy 6.3 is excerpted below.

As a condition of membership, all member transplant centers agree to allow the Ad Hoc International Relations Committee to review and audit, at its discretion, all center activities pertaining to transplantation of non-resident aliens. The Committee will review the activities of each member transplant center where non-resident alien recipients constitute more than 5% of recipients of any particular type of deceased organ. At centers where non-resident alien transplant recipients constitute more than 5% of recipients of any particular organ type, circumstances underlying the transplants for non-resident aliens will be reviewed by the Committee. Special consideration will be given to programs served by OPOs with non-resident alien organ donors.

UNOS staff presented an analysis of all deceased donor transplants performed between January 1, 2005 and December 31, 2008. (All analyses reflected OPTN data collected as of March 27, 2009.) This analysis presented data as agreed upon by the Committee in its previous meetings.

The Committee reviewed data of centers whose transplant rate exceeded the 5% rate for two or more years. The Committee recommended four programs that would receive audit letters. The Committee also asked UNOS staff to reanalyze data for two programs. Due to the lack of quorum in the meeting, the Committee will revisit this analysis and vote again on which centers it wishes to audit.