

**OPTN/UNOS Policy Oversight Committee
Report to the Board of Directors
November 12-13, 2014
St. Louis, MO**

**Yolanda Becker, MD, Chair
Sue Dunn, RN, BSN, MBA, Vice Chair**

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This report reflects the work of the OPTN/UNOS Policy Oversight Committee (POC) during the June 2014 – November 2014 period.

Action Items

1. Proposal to Allow Non-substantive Changes to the Bylaws and Policies

Public Comment: [March 14 – June 12, 2014](#)

The current Bylaws do not mention any authority for OPTN Contractor staff to make clerical (or non-substantive) changes to policies. UNOS currently presents proposed policy changes to the Executive Committee in either of the following situations:

1. Patient safety situation requires immediate attention
2. Policy clarifications that could be interpreted as substantive changes but are consistent with the sponsoring committee's original intention

On occasion, clerical errors in the policies and bylaws are identified. These errors often are non-controversial issues such as obvious misspellings and mis-numbering of lists. There is nothing in the bylaws or policies that allows staff to make these non-substantive corrections. This proposal would allow staff to make non-substantive corrections to policies without separate approval by the Executive Committee or Board of Directors. The Executive Committee would review these changes retrospectively.

The Committee considered and addressed public comment feedback received on its proposed language. The Committee felt that because public comment was generally supportive, no additional modifications were necessary to the language that went out in the public comment proposal. After careful review, the Committee voted to recommend the new and modified Bylaws, as outlined in **Exhibit A**, for consideration by the Board of Directors (20 yes, 0 no, 0 abstention):

RESOLVED, that additions to the Bylaws Article X: Amendment of Charter and Article XI: Adoption of Policies are hereby approved, effective February 1, 2015.

Committee Projects

2. Definition of Organ Transplant

Public Comment: [September 29 – December 5, 2014](#)

Board Consideration: *June 2015 (estimated)*

This proposal addresses questions that UNOS staff routinely receive from OPTN/UNOS members about the definition of “organ transplant,” including what should be reported as the transplant date, especially in regards to meeting reporting requirements in UNetSM. Members report that there is a disconnect in current definitions and actual clinical practices, and these proposed definitions will help bridge the disconnect and clarify the policy requirements.

The POC considered proposed language at its April 2014 meeting and unanimously approved the policy language that includes definitions to be added to Policy 1.2: Definitions for the terms *organ transplant* and *transplant date*.

3. Multi-organ Policies Clean-up

Public Comment: [September 29 – December 5, 2014](#)

Board Consideration: *June 2015 (estimated)*

The Liver, Kidney, Pancreas, and Thoracic Committees are currently reviewing multi-organ allocation issues and policy with regard to their organ type. However, the POC is charged with updating and clarifying the current policy language that deals generally with multi-organ candidates and offers. The POC multi-organ policy work group, with representatives from the Liver, Kidney, Pancreas, and Thoracic Committees, focused its work on updating and clarifying the policies regarding multi-organ procurement, allocation, and waiting time transfers, including 10 sections of policy. The POC reviewed and unanimously accepted the proposed policy language changes included in the proposal at its August 2014 conference call.

4. Geographical Disparities in Organ Allocation

Public Comment: *N/A*

Board Consideration: *N/A*

The POC provided input to the Liver Committee on the background document that was part of the education and roll-out of the Liver Committee's proposal to address geographical disparities and the basis for the Liver Forum. Other POC work on the project is on hold until the Liver Committee proposal is introduced and evaluated and the next steps for the OPTN and the POC are identified. More information about the liver redistricting project is available in the Liver Committee's report to the Board.

5. Policy Rewrite "Parking Lot" – Quick Fixes

Public Comment: [September 29 – December 5, 2014](#)

Board Consideration: *June 2015 (estimated)*

The Policy Rewrite project resulted in a list of items that requires substantive fixes in current policy language, but could not be addressed as part of the rewrite since the goal was to make no substantive changes during the rewrite. Some of these items are currently being incorporated into existing committee projects. This POC project identified quick and non-controversial items from the parking lot that can be addressed in a single proposal for a first clean-up of the OPTN Policies. Some of items addressed are categorized as follows:

- Clarifying when and why something will be reviewed by using consistent phrasing
- Converting recommended actions to requirements or moving them into guidance materials
- Standardizing timeframes
- Policy that is outdated or no longer relevant
- Policy that is inconsistent within organ groups

Those items that will take additional research or are controversial will be handled as Committee projects by the appropriate Committee and prioritized along with their other projects. At its August 2014 meeting, the POC reviewed and unanimously approved for

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distribution for public comment the proposed policy language. This proposal was distributed for public comment in September 2014.

Committee Projects Pending Implementation

None

Implemented Committee Projects

None

Review of Public Comment Proposals

None

Other Committee Work

6. Committee Project Review

The POC continues its work in reviewing Committee projects with the aim to make recommendations to the Executive Committee about which projects the Committees should begin or continue.

The POC continues to refine the committee project review process. This year, the POC will approach the committee project review slightly differently. Rather than review ongoing projects twice a year before each Board cycle, the POC will only review ongoing projects once a year each spring. New Committee projects will be reviewed on an ongoing basis throughout the year and if approved, will be added to the overall committee work plan presented to the Executive Committee before each Board meeting. The POC envisions that this change in the review of Committee projects will:

- Enable a Committee to work on an approved project for an entire year before the POC reviews and assesses the Committee's progress and whether the project is on target and still a priority for the Committee and the OPTN.
- Enable the POC to better focus on an individual Committee's entire portfolio of projects when a Committee asks to add a new project to its workload. In the past, it was often difficult for POC to easily analyze and focus on this when they were reviewing close to 100 projects at a time.
- Enable Committees to begin work on new projects sooner than with the previous system.

The Committee will continue to provide the Executive Committee with a prioritized Committee work plan that includes its recommended, approved projects for each board cycle.

The Committee will review 6 new projects at its in-person meeting in Chicago on October 21, 2014. The Committee will provide recommendations to the Executive Committee about whether these new projects should be approved and also provide a revised committee work plan based on these recommendations. The Committee will also review new projects at a January 2015 conference call and then again at its spring 2015 in-person meeting, where it will also review all ongoing projects.

The review process uses a survey for each new project proposed by the Committees. This review process has three main goals:

1. **Ensure support of and compliance with NOTA, the Final Rule, and the Strategic Plans:** Committee projects should align with the Board-approved OPTN Strategic Plan, which sets the goals and contains many of the initiatives that drive the Committees' activities.
2. **Prioritize resources:** The OPTN, like any other organization, has finite resources and must prioritize those resources to achieve our goals. This includes:
 - Reviewing the level of work that we ask of Committee members.
 - Ensuring that there is sufficient Committee support staff available to complete the Committee projects.
 - Assessing the complexity of any projects that require programming.
3. **Ensure Collaboration between the Committees and outside organizations:** The project review process helps other Committees to become aware of and be involved in those projects that impact their constituencies. By using the POC, which contains representatives of the other Committees, this process allows each of the Committees to request early input into committee projects. Additionally, given the broad composition of the POC, the Committee can recommend additional organizations or constituencies that the sponsoring Committee should include in the project.

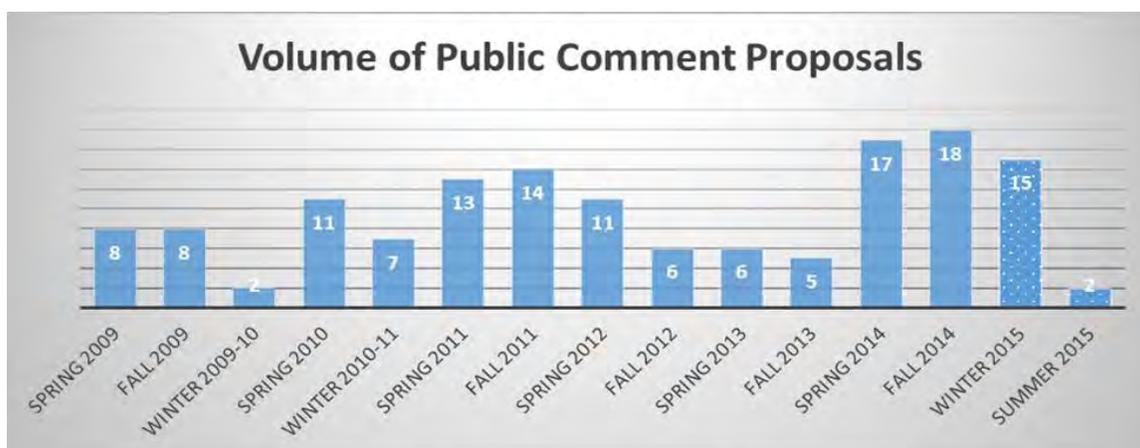
Using the survey, the POC could approve, reject, and comment on a project to provide direction, or request more information.

The following information provides a summary of projects by public comment cycle, by Committee, project type, board cycle, IT programming resources required and

Public Comment

Many projects will require public comment before they are presented to the Board. The chart below shows the number of projects that the committees are recommending for public comment each cycle.

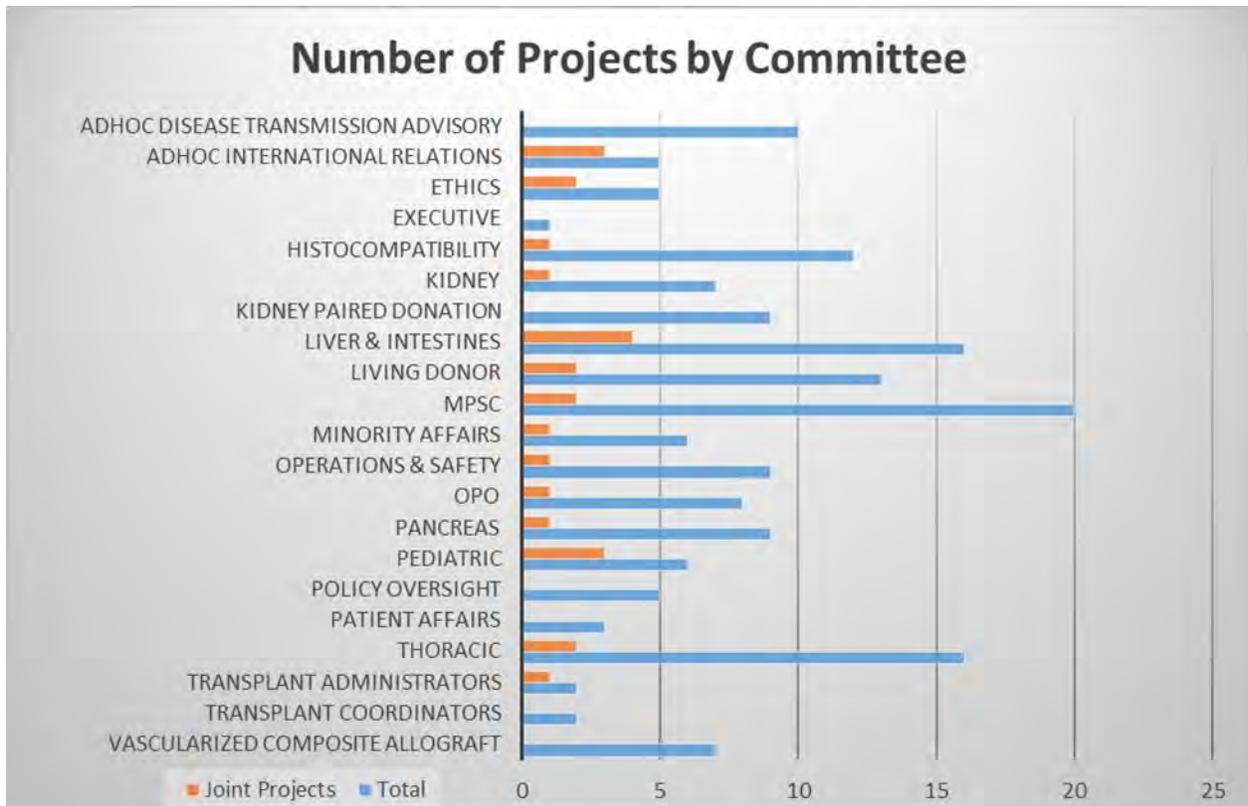
The trend of a large number of proposals for each public comment cycle continues for the September public comment period. The graph below shows the historical volume of OPTN/UNOS public comment proposals to help put the portfolio of projects in perspective.



OPTN/UNOS Policy Oversight Committee

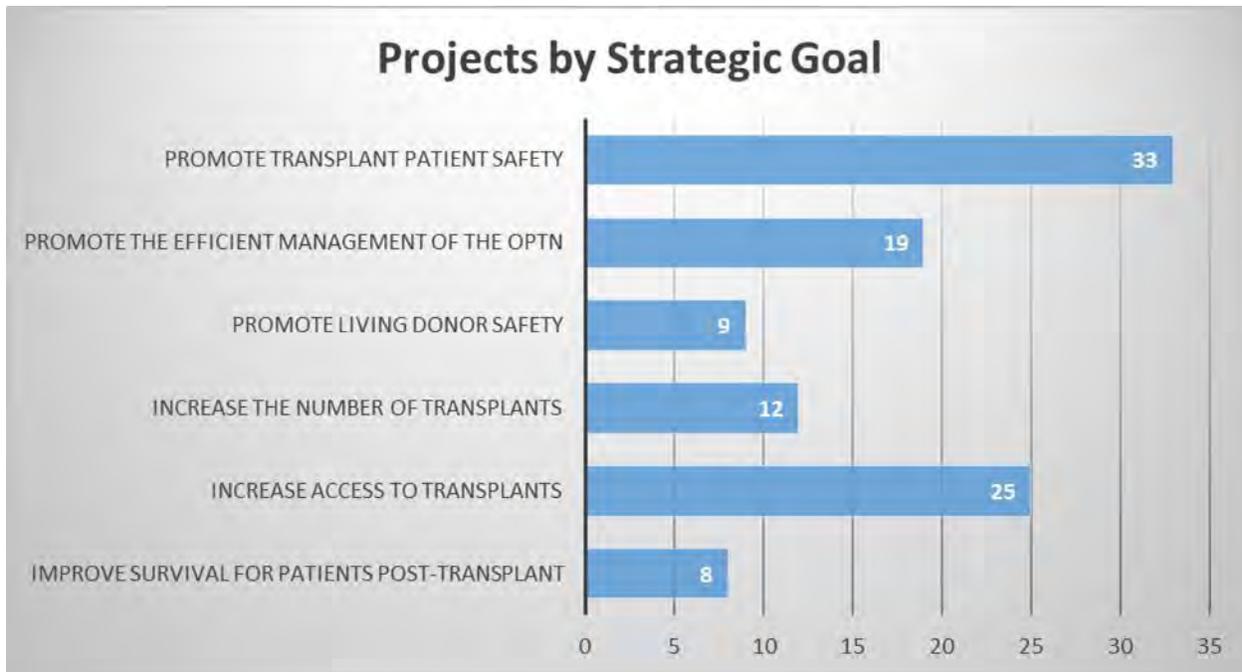
Number of Committee Projects

All committee projects are sponsored by at least one committee. A project can have more than one committee sponsor and even more collaborating committees. To begin assessing the workload of each committee, the following chart shows the number of projects sponsored by each committee.



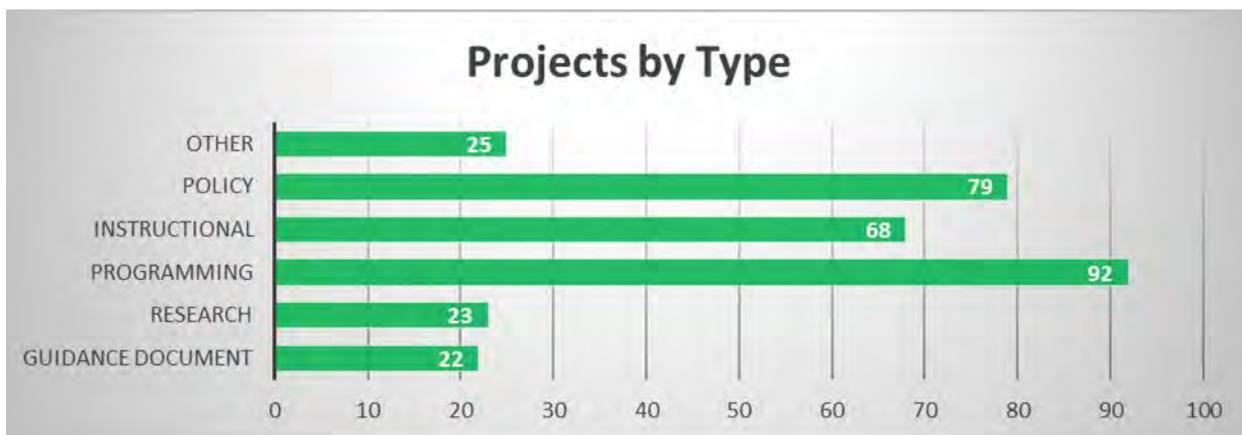
Projects by Strategic Plan

All projects must support the strategic plan. Several projects are initiatives taken directly from the strategic plan. Similar to project types below, many projects support more than one goal within the strategic plan. The following chart shows the number of projects that affect each strategic goal.



Projects by Type

Committees work on several different types of projects. Since many projects will include multiple aspects (E.g., allocation changes usually require policy, programming, and instructional aspects.), the numbers here will be larger than the total number of projects reported above. The following chart contains the number of each type of project.



Projects Requiring Programming

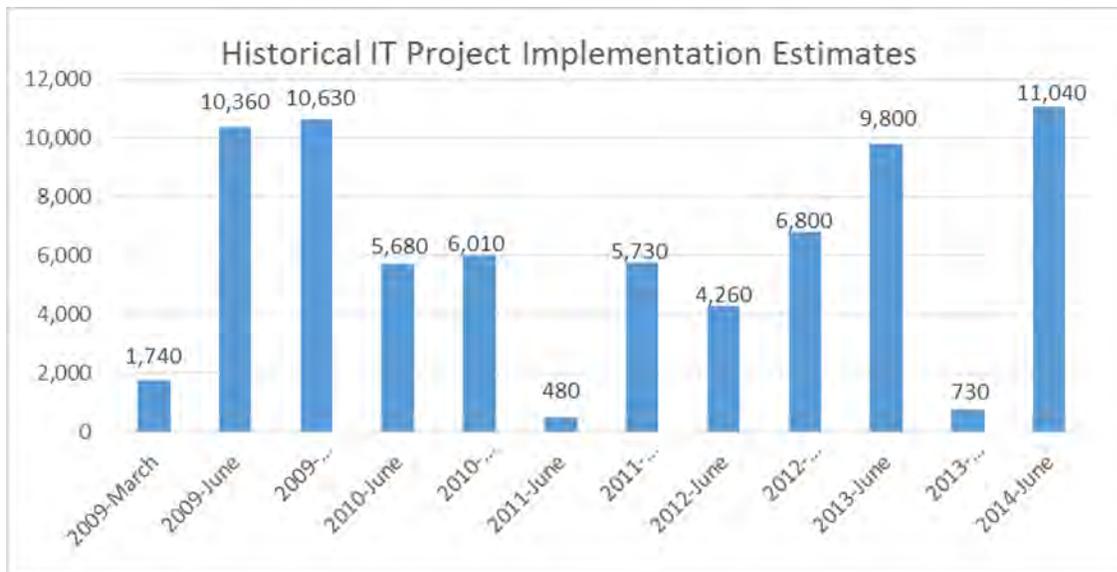
Committee projects that require programming receive cost estimates at multiple times. In order of progression, IT projects receive the following cost estimates:

- *Committee Project Approval:* Prior to submitting a committee project proposal to the POC, IT projects will receive a very high level estimate for IT to implement the solution. Since these projects are in their infancy, these estimates are the first and least precise estimate.
- *Public Comment:* IT projects that require public comment will receive an estimate for IT to implement the solution. By now, the Committee has settled on a solution so the estimate is more precise. These are usually in the range of +/- 100%. These are sometimes referred to as t-shirt size estimates.
- *Board Proposal:* Board proposals will receive an estimate to implement and maintain the solution. These costs include IT and all other UNOS departments. These are documented in the composite document provided to the Board. These are the final estimates provided to the Board. These IT estimates are usually in the range of +/- 50%.
- *Implementation:* After Board approval, projects continue to receive refined estimates. These are used to schedule and allocate staff resources during the design and implementation phase. When the POC meets to discuss the prioritization of IT projects, some projects will have updated cost estimates.

IT estimates are usually explained using the following gradations:

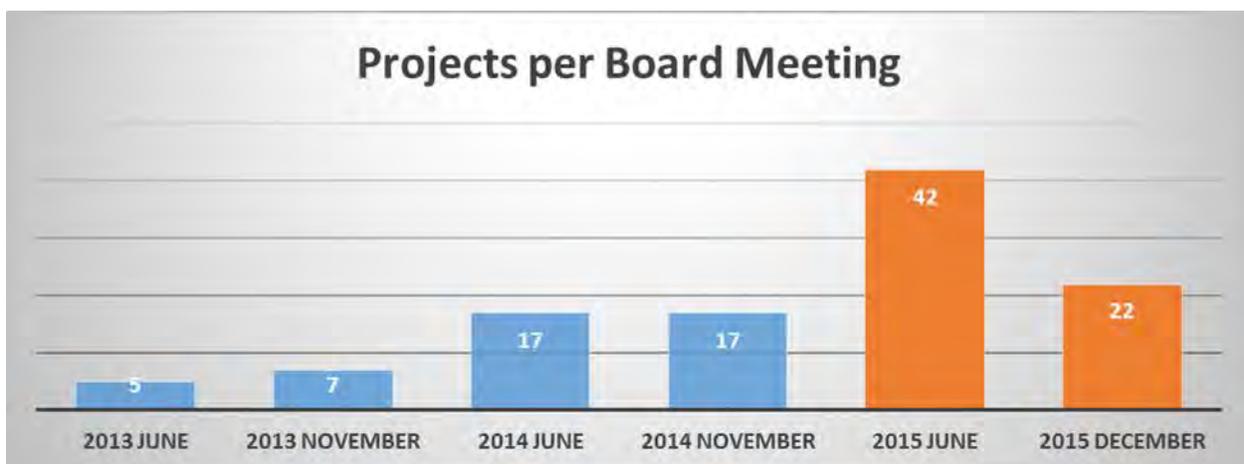
- *Demand Request (DR)t:* <180 hours to implement
- *Small:* 180-419 hours to implement
- *Medium:* 420-749 hours to implement
- *Large:* 750-1649 hours to implement
- *Very Large:* 1650-3999 hours to implement
- *Enterprise:* 4000+ hours to implement

As part of the POC and Executive Committee's review of committee projects, staff provided estimates of the costs to 1) bring the proposal to the Board and 2) implement the proposal. Because the project proposals were in their infancy when the POC and Executive Committee reviewed them, these estimates were high-level.



Projects per Board Meeting

The following chart shows the volume of proposals presented to the Board for consideration at recent meetings and the projected volume for the next year. The Board schedule is largely driven by the public comment schedule; however, this is not always the case. Some proposals (ex. guidance documents) require Board approval but not public comment. Other proposals may require extensive work in between public comment and the Board meeting. The summer 2015 Board meeting will be especially high because proposals from two public comment cycles (Fall 2014 and Spring 2015) will be reviewed by the Board at this meeting.



7. Pre-Public Comment Proposal Reviews

The POC reviewed proposals to be distributed for public comment in September 2014 and made recommendations for the Executive Committee to consider at its September 15 conference call. To make recommendations about the proposals, POC members completed a survey that asked questions regarding the quality of the problem statement, whether the solution addresses the problem, whether the proposal has evidence to support the problem and solution, and how well the sponsoring Committee collaborated with others. The second

purpose (supporting the Final Rule and Strategic Plan) was also reviewed when the Committee proposed the project, and the public comment survey served as a check on those projects that may have evolved since they were first proposed to the POC.

The POC used the results of the survey to make a recommendation to the Executive Committee regarding which proposals should be released for public comment. The Executive Committee then took these recommendations and applied a second filter: whether there were adequate resources to implement all of the proposals.

The POC recommended that the following proposals be released for public comment on September 29, 2014:

1. Collect ECMO Data at Removal for Lung Candidate (Thoracic)
2. Composite Pre-Transplant Metrics (MPSC)
3. Deceased Donor Registration Form Completion (OPO)
4. Definition of a Transplant Hospital (MPSC)
5. Definition of Graft Failure (Pancreas)
6. Definition of the End of a Transplant (POC)
7. Develop Policy to Address Safety Concerns Related to Large Volume Waitlist Transfers (Operations & Safety)
8. Histocompatibility Bylaws Rewrite: Phase 2 (Histocompatibility)
9. HIV Organ Policy Equity Act Planning (OPO)
10. Improving the OPTN Policy Development Process (Executive)
11. KPD - All Other Guidelines to Policy (KPD)
12. KPD Informed Consent Guidelines to Policy (KPD)
13. Multi-Organ Allocation (POC)
14. Pediatric Classification for Liver Candidates Turning 18 (Peds)
15. Policy Rewrite Quick Fixes (POC)
16. VCA Data Collection and Submission (VCA)
17. VCA Implementation (VCA)

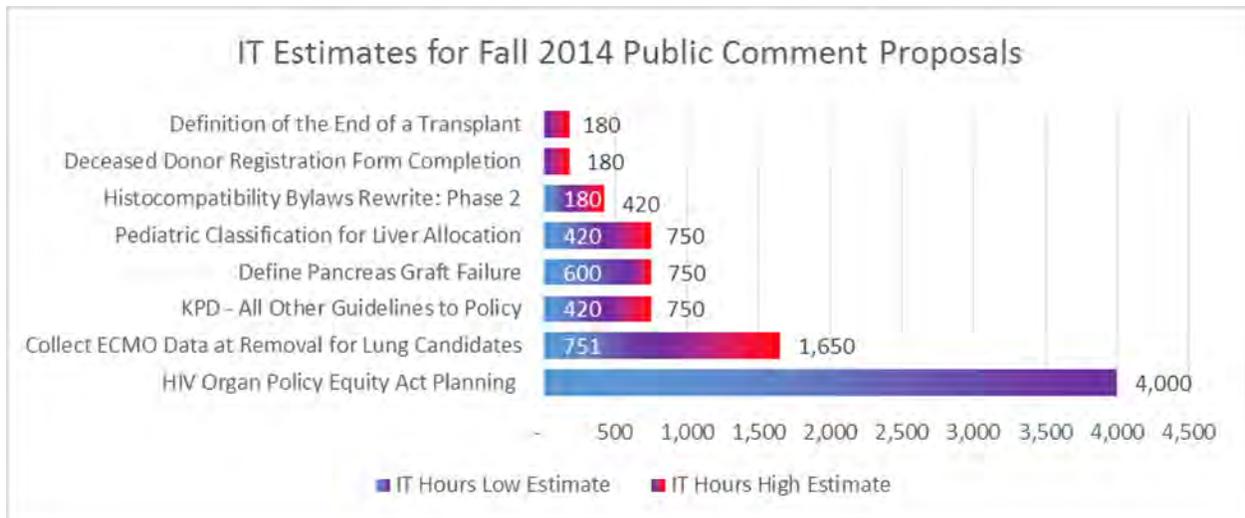
The POC recommended that the MPSC's Quality Assurance & Process Improvement (QAPI) Initiatives proposal *not* go out for public comment, by a vote of 10 against and 4 wanting it to proceed to public comment, with no abstentions. The POC offered the following comments about this proposal:

CMS already has Quality Assurance & Process Improvement (QAPI) requirement in place and this is duplicative of their requirements. This does not add value since CMS is already doing it and MPSC has other ways of looking at under-performing programs. However, staff explained that not all transplant programs are CMS certified and also the MPSC has no course of action based on a CMS review.

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The Executive Committee, after discussion and careful consideration, ultimately recommended that this proposal also go out for public comment but did ask that the MPSC include some additional background in the proposal about the number of OPTN members who are not CMS certified.

Now that the proposals are out for public comment, staff have updated their estimates to implement the proposals. The graph below illustrates the level of programming effort necessary to program the public comment proposals:



UNOS Staff currently estimates that it will take between 7,370 to 8,680 hours to program all of these proposals. These estimates will be refined as the Committees and staff continue work on the business requirements for these proposals and determine which proposals to bring to the Board. To help put this cycle's portfolio of public comment proposals in perspective, the following chart shows the historic levels of programming approved by the Board. The total number of programming hours approved per Board meeting ranges from a low of 480 to a high of 10,120 hours.

Meeting Summaries

The Committee held meetings on the following dates:

- August 1, 2014
- September 12, 2014
- October 20-21, 2014

Meetings summaries for this Committee are available on the OPTN website at: <http://optn.transplant.hrsa.gov/converge/members/committeesDetail.asp?ID=70>

Proposal to Allow Non-substantive Changes to the OPTN Policies and Bylaws

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Proposal to Allow Non-substantive Changes to the OPTN Policies and Bylaws

Affected/Proposed Bylaws: OPTN Bylaws, Article X: Amendment of Charter and Bylaws and Article XI: Adoption of Policies

Policy Oversight Committee (POC)

Summary and Goals of the Proposal:

On occasion, clerical errors are identified in the Policies and Bylaws. These clerical errors are non-controversial things like obvious misspellings and mis-numbering of lists. These changes must be approved by the Executive Committee or Board because there is nothing in the Bylaws or Policies that allow staff to make these non-substantive corrections. This proposal would allow staff to make non-substantive corrections without needing approval by the Executive Committee or Board of Directors. The Executive Committee would review these changes retrospectively.

Background and Significance of the Proposal:

Currently, Policy and Bylaws changes are brought to the Executive Committee in the following situations:

1. Patient safety situation requires immediate attention
2. Policy clarifications that could be interpreted as substantive changes but are in line with the committee's original intention

On occasion, clerical errors are identified in the Policies and Bylaws. These clerical errors are non-controversial things like obvious misspellings and mis-numbering of lists. These changes must be approved by the Executive Committee or Board because there is nothing in the Bylaws or Policies that allows staff to make these non-substantive corrections. This proposal would allow staff to make non-substantive corrections to Policies without needing approval by the Executive Committee or Board of Directors. The Executive Committee would review these changes retrospectively.

Supporting Evidence:

In constructing this proposal, staff reviewed similar models from other rulemaking bodies (namely legislatures and regulatory bodies). Many legislative and regulatory bodies have procedures that provide authority for making minor changes to their policies and legislation. Here is one example from the Commonwealth of Virginia:

§ 30-149. Authority for minor changes to the Code of Virginia.

The Commission may correct unmistakable printer's errors, misspellings and other unmistakable errors in the statutes as incorporated into the Code of Virginia, and may make consequential changes in the titles of officers and agencies, and other purely consequential changes made necessary by the use in the statutes of titles, terminology and references, or other language no longer appropriate

The Commission may renumber, rename, and rearrange any Code of Virginia titles, chapters, articles, and sections in the statutes adopted, and make corresponding changes

in lists of chapter, article, and section headings, catchlines, and tables, when, in the judgment of the Commission, it is necessary because of any disturbance or interruption of orderly or consecutive arrangement

The Commission may correct unmistakable errors in cross-references to Code of Virginia sections and may change cross-references to Code of Virginia sections which have become outdated or incorrect due to subsequent amendment to, revision, or repeal of the sections to which reference is made.

The Commission may omit from the statutes incorporated into the Code of Virginia provisions which, in the judgment of the Commission, are inappropriate in a code, such as emergency clauses, clauses providing for specific nonrecurring appropriations and general repealing clauses.

Additional models reviewed include:

- Alaska Statue § 01.05.031 (Revision of Statutes)
- Delaware 29 Del.Code § 1134. (Powers and Duties of the Registrar in Preparation and Maintenance of the Register of Regulations)
- Idaho Code § 67-5202(2) (Office of Administrative Rules Coordinator)
- Iowa Code § 2B.13 (Editorial Powers and Duties)
- Kentucky Revised Statues § 13A.040 (Administrative Regulations Compiler – Duties)
- North Carolina General Statutes § 150B-21.20 (Codifier's Authority to Revise Form of Rules)
- Washington Revised Code § 1.08.015 (Codification and Revision of Laws – Scope of Revision)

Expected Impact on Living Donors or Living Donation:

Not applicable.

Expected Impact on Specific Patient Populations:

No known impact to any specific patient populations.

Expected Impact on OPTN Key Goals and Adherence to OPTN Final Rule:

This proposal will increase the efficiency of the OPTN since neither staff nor the Executive Committee will need to spend as much time on these clerical issues. This proposal also meets the goal of having clearer policies since these sorts of simple corrections will result in clearer policies.

Plan for Evaluating the Proposal:

UNOS staff in the Policy Department will maintain a list of non-substantive changes made to the Bylaws and Policies. This list will enable staff to see the number of corrections made, and estimate the amount of time saved by not having to present each of these to the Executive Committee for approval. The value of being able to make the corrections immediately to increase the clarity and accuracy of Bylaws and Policies is more subjective and thus more difficult to evaluate. The

required retrospective review of all non-substantive changes by the Executive Committee will ensure that no substantive changes are made and provide transparency to OPTN members.

Additional Data Collection:

This proposal does not require additional data collection.

Expected Implementation Plan:

This proposal will be submitted to the Board of Directors in November, 2014 and, if approved, will become effective on February 1, 2015.

The process for making non-substantive changes to the Bylaws and Policies would include a review by the Policy Director and staff with expertise in the specific policy or bylaw section. The review will ensure that the proposed correction is in agreement with a consistent style guide and does not make any substantive changes. The changes will be brought to the Executive Committee at their next meeting for a retrospective review.

Communication and Education Plan:

This proposal will not require that members do anything or change their procedures. If a member prints out copies of the bylaws or policies, it may be advantageous to them to print out the new, corrected version.

Compliance Monitoring:

Not applicable.

Policy or Bylaw Proposal:

Proposed new language is underlined (example) and language that is proposed for removal is struck through (~~example~~).

1 At a meeting of the OPTN/UNOS Board of Directors convened on November 12th and
2 November 13th in St. Louis, Missouri, the following resolution is offered.

3
4 *A resolution to approve additions to the OPTN Bylaws Article X: Amendment of Charter and*
5 *Article XI: Adoption of Policies.*

6
7 Sponsoring Committee: Policy Oversight Committee

8
9 **RESOLVED, that additions to the Bylaws Article X: Amendment of Charter and Article XI:**
10 **Adoption of Policies are hereby approved, effective February 1, 2015.**

11
12 **OPTN Bylaws Article X: Amendment of Charter and Bylaws**

13
14 **10.3 Non-substantive Changes to Bylaws**

15 The OPTN Contractor may correct any of the following:

- 16 ■ Capitalization or punctuation, as needed to maintain consistency with current policy
17 ■ Typographical, spelling, or grammatical errors
18 ■ Lettering and numbering of a rule or the subparts of a rule, according to style conventions in current
19 policy
20 ■ Cross-references to rules or sections that are cited incorrectly because of subsequent repeal,
21 amendment, or reorganization of the sections cited

22
23 The Executive Committee will retrospectively review any of these changes made to policy by the OPTN
24 Contractor. The OPTN Contractor may not make any substantive changes to policy without approval of
25 the Board of Directors.

26
27 **OPTN Bylaws Article XI: Adoption of Policies**

28
29 **11.5 Adoption of Policies Non-substantive Changes to Policy**

30 The OPTN Contractor may correct any of the following:

- 31 ■ Capitalization or punctuation, as needed to maintain consistency with current policy
32 ■ Typographical, spelling, or grammatical errors
33 ■ Lettering and numbering of a rule or the subparts of a rule, according to style conventions in current
34 policy
35 ■ Cross-references to rules or sections that are cited incorrectly because of subsequent repeal,
36 amendment, or reorganization of the sections cited

37
38 The Executive Committee will retrospectively review any corrections made to policy by the OPTN
39 Contractor. The OPTN Contractor may not make any substantive changes to policy without approval of
40 the Board of Directors.

41
42 **11.56 Adoption of Policies**

43 New policy or changes to existing policy adopted by the Board of Directors may periodically be
44 incorporated into these Bylaws by amendment to the Bylaws. Members must comply with all policies after
45 adoption by the Board of Directors and after receiving written notice, even if the policies have not been

46 incorporated as amendments to these Bylaws.

47

48 **11.67 Developing Organ Allocation Policies**

49 Policy proposals affecting organ allocation must specify the organ or combination of organs addressed in
 50 the policy and summarize how the proposal meets requirements of the OPTN Final Rule, *42 CFR Part*
 51 *121*.

52

#

Public Comment Responses:

1. Public Comment Distribution

Date of distribution: March 14, 2014

Public comment end date: June 13, 2014

Public Comment Response Tally					
Type of Response	Response Total	In Favor	In Favor as Amended	Opposed	No Vote/ No Comment/ Did Not Consider
Individual	24	16 (66.7%)	0 (0%)	3 (12.5%)	5 (20.8%)
Regional	11	11	0	0	0
Committee	19	1	0	0	18

2. Primary Public Comment Concerns/Questions

The primary concern seemed to be that inadvertent substantive changes would occur when making clerical changes and that could cause problems until identified and corrected. The Committee believes this concern is addressed by the requirements that all changes will be reviewed retrospectively by the Executive Committee, and members will receive policy notices that summarize these changes. This enables transparency and a thorough review to ensure that the changes are not substantive. While it is still possible that an inadvertent substantive change could cause confusion before it is corrected, the Committee believes that the advantage of being able to correct simple clerical errors that are already causing confusion outweighs this risk.

3. Regional Public Comment Responses

Region	Meeting Date	Motion to Approve as Written	Approved as Amended (see below)	Meeting Format
1	5/5/2014	13 yes, 0 no, 0 abstentions		In person
2	3/28/2014	27 yes, 0 no, 0 abstentions		In person

3	5/30/2014	16 yes, 0 no, 1 abstention	In person
4	5/9/2014	25 yes, 0 no, 0 abstentions	In person
5	6/12/2014	11 yes, 2 no, 3 abstentions	In person
6	5/16/2014	50 yes, 0 no, 0 abstentions	In person
7	5/9/2014	18 yes, 0 no, 0 abstentions	In person
8	4/4/2014	15 yes, 0 no, 0 abstentions	In person
9	5/21/2014	15 yes, 0 no, 0 abstentions	In person
10	5/15/2014	18 yes, 0 no, 0 abstentions	In person
11	5/30/2014	24 yes, 0 no, 0 abstentions	In person

None of the regions commented on this proposal.

4. Committee Public Comment Responses

Living Donor Committee:

A member suggested that there should be a public log of non-substantive changes to policy or bylaws. The Committee supported this proposal by voice vote.

Sponsoring Committee Response:

Thank you for considering this proposal. Staff will keep a log of all the non-substantive changes to policies and the Executive Committee will review each change. Also, a policy notice will be issued to inform members of the changes.

Membership and Professional Standards Committee:

The Committee did not recommend any changes to the proposal.

Sponsoring Committee Response:

Thank you for your review and response.

5. Individual Public Comment Responses

Comment 1:

Vote: Oppose

Date Posted: 06/12/2014

The concern is restricting this authority to "non-substantive" changes. We experienced numerous examples during the plain language rewrite that OPTN representatives thought the change was non-substantive, but when investigated, really had impact. If it is simply a spelling and grammar change, that would be ok, but anything beyond that would be of concern.

Committee Response:

We understand your concern and point out that all changes will be reviewed retrospectively by the Executive Committee and members will receive policy notices that summarize the changes. This enables transparency and a thorough review to ensure that the changes are not substantive.

Comment 2:

Vote: Support

Date Posted: 06/13/2014

NATCO supports this proposal as written.

Committee Response: Thank you for your review and support.

Comment 3:

Vote: Support

Date Posted: 06/17/2014

Overall, ASTS supports the goal of this proposal to allow the OPTN contractor to correct clerical errors. The allowable changes are narrow and must be reviewed by the executive committee retrospectively. However, ASTS is concerned that grammatical error changes would be allowed. It is possible to make a minor change in grammar that results in substantial change in content. While the safety net is the requirement to have the executive committee review retrospectively, these changes could create confusion in the interim.

Committee Response:

Thank you for your review and support. We understand your concern and point out that all changes will be reviewed retrospectively by the Executive Committee and members will receive policy notices that summarize the changes. This enables transparency and a thorough review to ensure that the changes are not substantive. While it is possible that an inadvertent substantive change could cause confusion before it is corrected, the Committee believes that the advantage of being able to correct simple clerical errors that are already causing confusion outweighs this risk.

Comment 4:

Vote: Support

Date Posted: 06/16/2014

The AST supports this proposal which mirrors similar models from other rule making bodies (namely legislatures and regulatory bodies). Many legislative and regulatory bodies have procedures that provide authority for making minor changes to their policies and legislation.

Committee Response:

Thank you for your review and support.

Comment 5:

Vote: Support

Date Posted: 06/13/2014

We believe this change will allow for a more efficient process of correcting non-substantive changes and should allow for continued improvements in policy clarity.

Committee Response:

Thank you for your review and support.

Post Public Comment Consideration:

POC leadership met by teleconference in September 2014 to review public comment feedback on this proposal and consider the proposal. Since the proposal received very little public comment and the comment received was mostly supportive, the Committee voted unanimously (20-0) to move the proposed language as written in the public comment proposal to the Board for consideration.