

**OPTN Membership and Professional Standards Committee  
Membership Requirements Revision Subcommittee  
Meeting Summary  
November 24, 2020  
Conference Call**

**Clifford Miles, M.D., Chair**

## **Introduction**

The Membership Requirements Revision Subcommittee of the Membership and Professionals Standards Committee (MPSC) met via Citrix GoToTraining teleconference on November 24, 2020, to discuss the following agenda items:

1. Welcome and Overview of Project Progress
2. Availability of Primary Surgeons and Physicians
3. Transplant Program Key Personnel Format
4. Next Steps

The following is a summary of the Subcommittee's discussions.

### **1. Welcome and Overview of Project Progress**

Staff gave an overview of current progress of the Membership Requirements Revision Project. Staff advised the Subcommittee that there are drafts of each appendix and the draft request for feedback for subcommittee review located on SharePoint.

### **2. Availability of Primary Surgeons and Physicians**

The Subcommittee reviewed background information about the availability requirements of primary surgeons and physicians in the bylaws. Staff explained that during the November MPSC meeting, the Committee finalized the language for the program coverage plan, which satisfies the OPTN Final Rule requirement for transplant surgeon and physicians to be on site. The Committee has not determined appropriate language to define primary surgeons' and primary physicians' expected availability to the program.

Staff advised that previous discussions of the MPSC appear to continue to support the previous Committee interpretations of the current bylaw requirement for the primaries to "be on site at the hospital." Previously, the Committee has discussed the need for the definition to be flexible to address a program's unique circumstances within specific parameters.

The Subcommittee reviewed the current language and discussed the different options for defining "on site" to determine primary surgeons' and physicians' availability at the hospital.

- Option 1: Retain "on site" language with the established precedent as a guide for interpretation
- Option 2: Replace "on site" language with "reasonably available in person to the hospital" to explain that the change better reflects the precedents and interpretations that have guided the MPSC's decisions.

- Option 3: Retain “on site” language for this proposal and put a project in the queue to further evaluate the requirement in depth.

Feedback by the Subcommittee:

Many subcommittee members supported (Option 2) but disagreed with the proposed language. The Subcommittee members discussed recommendations for revision of the language, which included:

- Adding "actively engaged in the program" to reflect previous discussions that the primaries should be involved in the day to day functioning of the program in addition to geographic proximity to the hospital.
- Keep reasonably available in the primary requirements but include language that the program’s coverage plan must address the availability of the primary that would be reviewed by the MPSC.
- Using "readily available" instead of "reasonably available."
- Can we define the criteria differently for programs where the primary is the sole qualified individual and separate requirements that might include some remote options where there are multiple surgeons or physicians that can provide direct patient care.
- Adding "readily or reasonably available for in-hospital patient care."

A member expressed concerns that the term “reasonably available” is hard to quantify. She suggested that we may need more quantifiable language and possibly include language that the MPSC would consider circumstances outside the quantifiable language. “Reasonably available” could be interpreted in multiple ways.

The Subcommittee participated in a poll to gauge support for options 1, 2, or 3. The majority of subcommittee members supported leaving the “on site” language and exploring the topic in more detail in the future, including more clearly defining the role and responsibilities of the primary surgeon and physician. There is not urgency to change the “on site” language since the current interpretation has not led to major issues. The Subcommittee felt it was prudent to have a future project that could focus specifically on this issue in more detail. The Subcommittee recommended that questions be included in the request for feedback document to gather input from the community to inform the future project.

### **3. Transplant Program Key Personnel Format**

Staff provided a summary of potential questions to be included in the Transplant Program Key Personnel Format Request for Feedback that will be released during the winter public comment cycle. The Subcommittee reviewed proposed questions for each section of the potential new transplant program key personnel format and provided recommendations on additional questions. The Subcommittee supported revising the requirement for completion of the OPTN Orientation Curriculum to exempt any surgeon or physician that had been a primary previously for any organ program.

The Subcommittee endorsed some of the previously proposed questions and will continue review of the questions at the next subcommittee call on December 2 when the Subcommittee will finalize the language the request for feedback and the proposal.

### **4. Next Steps**

Staff reviewed the next steps of the project and reminded the Subcommittee of upcoming meetings.

**Upcoming Meeting(s)**

- December 2, 2020: Membership Requirements Revision Subcommittee Meeting, 1-3:00 pm, ET (Call)
- December 15, 2020: MPSC meeting, 1-3:00 pm, ET (Call)

## Attendance

- **Committee Members**
  - Clifford D. Miles ( Subcommittee Chair)
  - Christina D. Bishop
  - Theresa M. Daly
  - Jonathan A. Fridell
  - PJ Geraghty
  - Edward F. Hollinger
  - Ian R. Jamieson
  - Heung Bae Kim
  - Jon A. Kobashigawa
  - Anne M. Krueger
  - Saeed Mohammad
  - Nicole A. Pilch
  - Scott C. Silvestry
  - Lisa M. Stocks
  - Parsia A. Vagefi
  - Gebhard Wagener
- **HRSA Representatives**
  - Marilyn E. Levi
  - Arjun U. Naik
  - Raelene Skerda
- **UNOS Staff**
  - Sally Aungier
  - Tameka Bland
  - Demi Emmanouil
  - Katie Favaro
  - Krissy Laurie
  - Sandy Miller
  - Amy Minkler
  - Liz Robbins Callahan
  - Sharon Shepherd
  - Olivia Taylor
  - Roger Vacovsky
  - Marta Waris
- **Other Attendees**
  - None