

OPTN Executive Committee

Meeting Summary

July 30, 2024

Webex

Richard Formica, MD, Chair

Introduction

The OPTN Executive Committee met via Webex teleconference on 07/30/2024 to discuss the following agenda item:

1. Welcome & Announcements
2. Summer 2024 Public Comment*
3. OPO Merger

The following is a summary of the Committee's discussion.

1. Welcome & Announcements

Richard Formica, Chair of the Executive Committee, welcomed the committee to their meeting and presented that the purpose of the meeting was to take action on the items proposed for Summer 2024 Public Comment and to receive an update on a merger of two organ procurement organizations (OPOs).

2. Summer 2024 Public Comment*

Contractor staff presented the items proposed for Summer 2024 Public Comment. Contractor staff shared the review that was completed by the Policy Oversight Committee (POC) to recommend these items to the Executive Committee for public comment. Contractor staff also shared the process a public comment proposal typically follows, and the questions that the POC considered when determining whether each item should go out for public comment. Contractor staff shared how the POC determined strategic plan alignment as it pertains to the newly implemented 2024-2027 strategic plan and shared how resource estimates for each proposal are determined. Contractor staff explained that the Executive Committee will now review resource estimates with associated dollar amounts, instead of just hours, to align with the committee's prior feedback. The committee was supportive of this format and discussed the new estimate format. Contractor staff explained the different items going out for public comment and shared the differences between each item type.

Contractor staff shared that the POC reviewed each item and recommended them to the Executive Committee for release for public comment:

- Update Histocompatibility Bylaws
- Require Reporting of HLA Critical Discrepancies and Crossmatching Events to the OPTN
- Promote Efficiency of Lung Donor Testing
- Revise Conditions for Access to the OPTN Computer System
- Continuous Distribution of Hearts
- Continuous Distribution of Kidneys
- Continuous Distribution of Liver & Intestines
- Continuous Distribution of Pancreata

Contractor staff shared the purpose of each item, alignment to the strategic plan, feedback received from the POC, and the voting results from the POC on whether to recommend the item to the Executive Committee for Summer 2024 Public Comment.

Summary of Discussion:

The committee discussed the proposals that do not directly align with one of the new goals in the 2024-2027 OPTN Strategic Plan and how the change in strategic plan may impact these proposals. Contractor staff shared that the items that do not directly align with a new strategic plan goal were classified as other important initiatives for the OPTN. The committee discussed how much weight should be given to public comment items that directly align with a strategic plan goal, and those that do not.

When discussing proposals, the committee asked about associated timelines, resource estimates, and how these items could be affected by the upcoming changes throughout the OPTN due to Modernization. The committee asked clarifying questions around the proposal from the Network Operations Oversight Committee (NOOC) to Revise Conditions for Access to the OPTN Computer System and resource estimates calculated for the project.

Vote:

The Executive Committee unanimously approved the following items for Summer 2024 Public Comment:

- Update Histocompatibility Bylaws
- Require Reporting of HLA Critical Discrepancies and Crossmatching Events to the OPTN
- Promote Efficiency of Lung Donor Testing
- Revise Conditions for Access to the OPTN Computer System
- Continuous Distribution of Hearts
- Continuous Distribution of Kidneys
- Continuous Distribution of Liver & Intestines
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3. OPO Merger

Contractor staff presented an upcoming merger of two organ procurement organizations (OPOs) and the potential impact of the merger on the OPTN. Contractor staff presented the difference between OPTN Regions and Donation Service Areas (DSAs) and how they are both factors in the merger.

Contractor staff presented background information on the merger between Kentucky Organ Donor Affiliates (KYDA) and LifeCenter Organ Donor Network (OHOV) to become “Network for Hope”. They explained that the Centers for Medicare and Medicaid Services (CMS) will be asked to approve a new DSA for Network for Hope and that the donor hospitals currently affiliated with KYDA and OHOV will be affiliated with Network for Hope, if approved by CMS.

Contractor staff shared the OPTN’s role during the merger, including the involvement of the Executive Committee in the process, as well as the dependencies with CMS related to the merger. Contractor staff shared that staff are conducting impact assessments on OPTN systems, OPTN policy and bylaws, OPTN members, OPTN and SRTR data and analysis tools, and OPTN Regions. Contractor staff noted that this merger is unique because it crosses over two OPTN Regions and adds more complexity to the merger.

Summary of Discussion:

The committee asked clarifying questions on the impact of the merger and discussed the impact assessments. The committee discussed the financial impact of the merger and the anticipated cost on the OPTN. Contractor staff noted that other mergers that have taken place in the past have all been

unique circumstances, so it is difficult to predict the potential cost of the merger to the OPTN. They noted that in the long term (once the merger is complete), it is unlikely that there will be significant OPTN costs associated with the merger.

A committee member inquired about predictive analysis and modeling that has been conducted by the contractor to assume costs and data relevant to the merger. The committee discussed the potential impact the merger could have on the members, specifically inquiring about the potential impact on staff at each OPO. A committee member suggested that the committee consider how their decision on this merger will impact mergers in the future and suggested that the committee analyze what has been done in the past for transplant centers that have merged.

A representative from HRSA explained the process that the OPOs must follow to submit their application to CMS for approval to merge. They noted that the application details why the OPOs intend to merge and potential impacts from the merger. Contractor staff shared the role of the OPTN if the merger is approved by CMS and necessary changes that would need to be made by the initiation date. A representative from HRSA shared that HRSA has asked CMS to consider waiting until directives have been solicited that will affect the OPOs intending to merge.

Contractor staff reminded the committee that they will be asked to analyze OPTN Regions in the near future, as a follow-up from the Board's 2022 project to consider OPTN Regions. The committee considered the current role of OPTN Regions and their impact on the merger. The committee chair noted that the committee should consider the precedence their decision on the matter could have on mergers in the future.

Contractor staff will bring the merger, and any associated decision making, back to the Executive Committee for consideration in the future.

Upcoming Meetings:

- August 29, 2024
- September 26, 2024
- October 24, 2024
- November 14, 2024
- December 12, 2024

Attendance

- **Committee Members**
 - Andrea Tietjen
 - Emily Blumberg
 - George Surratt
 - Jen Lau
 - Lloyd Ratner
 - Luis Hidalgo
 - Macey Levan
 - Richard Formica
- **HRSA Representatives**
 - Frank Holloman
- **UNOS Staff**
 - Anna Messmer
 - Carol Mackey
 - Cole Fox
 - Emy Trende
 - Jacqui O’Keefe
 - James Alcorn
 - Joann White
 - Kayla Temple
 - Lauren Mauk
 - Lindsay Larkin
 - Michael Ghaffari
 - Morgan Jupe
 - Roger Brown
 - Stryker-Ann Vosteen
 - Susan Tlusty
 - Susie Sprinson
 - Tina Rhoades
- **Other Attendees**
 - Andrew Kao
 - Daniel Yip
 - Dennis Lyu
 - Gerald Morris
 - JD Menteer
 - Jim Kim
 - Shimul Shah
 - Ty Dunn