

Notice of OPTN Policy Change

Repeal Policy 3.7.D: Applications for Modifications of Kidney Waiting Time during 2020 COVID-19 Emergency

Sponsoring Committee:	Executive
Policy Affected:	<i>Policy 3.7.D: Applications for Modifications of Kidney Waiting Time during 2020 COVID-19 Emergency</i>
Board Approved:	June 14, 2021
Effective Date:	September 1, 2021

Summary of Changes

This policy change repeals OPTN *Policy 3.7.D: Applications for Modifications of Kidney Waiting Time during 2020 COVID-19 Emergency*. When repealed, transplant programs will no longer be able to submit a waiting time modification request for candidates not on regularly administered dialysis who, due to the pandemic emergency, were unable to acquire appropriate tests to accrue waiting time according to *Policy 8.4.A Waiting Time for Candidates Registered at Age 18 Years or Older* or *Policy 8.4.B: Waiting Time for Candidates Registered prior to Age 18*.

Purpose of Policy Change

COVID-19 pandemic impacts led to several OPTN policy actions aimed to protect patient safety and minimize negative impacts to patients and the overall transplant system. OPTN *Policy 3.7.D: Applications for Modifications of Kidney Waiting Time during 2020 COVID-19 Emergency* was created to prevent potential non-dialysis candidates from being disadvantaged in listing and accruing waiting time. During the COVID-19 public health emergency, a patient with a qualifying GFR at a program that has decided to register that candidate, may have been unable to obtain other testing required for registration, preventing that patient from accruing waiting time per *Policy 8.4*. OPTN *Policy 3.7.D: Applications for Modifications of Kidney Waiting Time during 2020 COVID-19 Emergency* created a safeguard against this disadvantage by allowing transplant programs to submit a waiting time modification application to retroactively initiate waiting time for affected candidates. This policy change repeals OPTN *Policy 3.7.D: Applications for Modifications of Kidney Waiting Time during 2020 COVID-19 Emergency*. This action is based on improved candidate access to required testing, data showing declining use of the policy, and OPTN stakeholder committee feedback.

Proposal History

- April 3, 2020: Original adoption of OPTN *Policy 3.7.D: Applications for Modifications of Kidney Waiting Time during 2020 COVID-19 Emergency* (effective immediately) through emergency Executive Committee Action

- April 20, 2020; June 7, 2020; and July 30, 2020: COVID data and policy review by Executive Committee
- August 4 – October 1, 2020: Public Comment (Retrospective)
- September 18, 2020; November 2, 2020; and December 6, 2020: COVID data and policy review by Executive Committee
- December 7, 2020: Policy approval by OPTN Board of Directors with continued Executive Committee review and action as appropriate due to current COVID-19 circumstances
- January 13, 2021; March 1, 2021; and April 26, 2021: COVID data and policy review by Executive Committee
- April 14, 2021 and May 17, 2021: Policy review by OPTN Kidney Transplantation Committee
- June 14, 2021: Action to repeal policy by Executive Committee

Implementation

Transplant programs will need to assess their waiting lists to ensure required testing has been reported for all non-dialysis candidates. Minor programming is required to remove the Modification of Kidney Waiting Time Initiation for Non-Dialysis Candidates form from UNetSM.

As of September 1, 2021, *Policy 3.7.D* will be repealed and transplant programs will no longer be able to submit a waiting time modification request for candidates not on regularly administered dialysis who, due to the emergency, were unable to acquire appropriate tests to accrue waiting time according to Those candidates for whom a Modification of Kidney Waiting Time Initiation for Non-Dialysis Candidates form was submitted will retain and continue to accrue waiting time.

Affected Policy Language

New language is underlined (example) and language that is deleted is struck through (~~example~~).

~~3.7.D Applications for Modifications of Kidney Waiting Time during 2020 COVID-19 Emergency~~

~~This emergency policy only applies to candidates whose ability to demonstrate eligibility for kidney waiting time has been compromised by the COVID-19 public health emergency declared by the President of the United States on March 13, 2020.~~

~~This emergency policy allows transplant programs to submit a waiting time modification for candidates who were not on regularly administered dialysis and, due to the emergency, were unable to begin accruing waiting time according *Policy 8.4.A Waiting Time for Candidates Registered at Age 18 Years or Older* or *Policy 8.4.B Waiting Time for Candidates Registered prior to Age 18*.~~

~~To apply for a waiting time modification, the candidate's transplant program must submit an application to the OPTN with *all* of the following information:~~

- ~~1. The requested waiting time start date for the candidate. The requested start date must be the date when the transplant program made the decision to register the candidate.~~

- ~~2. Documentation explaining why the circumstances of the COVID-19 public health emergency prevented the candidate from beginning to accrue waiting time according to *Policy 8.4.A Waiting Time for Candidates Registered at Age 18 Years or Older* or *Policy 8.4.B Waiting Time for Candidates Registered prior to Age 18*. For candidates registered at age 18 years or older, documentation must include a date prior to the requested start date that the candidate's measured or calculated creatinine clearance or GFR was less than or equal to 20 mL/min.~~
- ~~3. The name and signature of the candidate's physician or surgeon.~~

~~Upon receipt of a complete application the OPTN will implement the waiting time modification for candidates who were impacted by the COVID-19 emergency.~~

~~This subsection supersedes any conflicting requirements in other sections of OPTN Policy for candidates that apply for a waiting time modification pursuant to this subsection.~~

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