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May 22, 2007

VIA EMAIL: http://www.cms.hhs.gov/eRulemaking

Centers for Medicare & Medicaid Services

File Code: CMS-1398-NC

P.O. Box 8015

Baltimore, MD 21244-8015

RE: Comments Regarding a Hospital's Request for a Waiver from entering into an Agreement with its Designated Organ Procurement Organization.

To Whom It May Concern:

Following are the OPTN/UNOS comments in response to Federal Register notice Volume 72, Number 56, dated Friday, March 23, 2007, submitted by UNOS as the OPTN contractor.

Background

United Network for Organ Sharing (UNOS) is a Virginia non-profit corporation that operates the Organ Procurement and Transplantation Network (OPTN) under contract with the Health Resources and Services Administration (HRSA), Department of Health and Human Services (HHS), and pursuant to the National Organ Transplant Act of 1984, as amended (NOTA), and associated regulations.

In accordance with the charges, OPTN/UNOS facilitates and oversees the work of the OPTN/UNOS Organ Procurement Organization (OPO) Committee, which considers issues relative to organ procurement organizations and increasing organ procurement efficiency and effectiveness to include medical, scientific, and ethical aspects.

Hospital Waiver Request

The OPTN/UNOS OPO Committee Chair and Vice Chair discussed the Federal Register notice of the application for Select Specialty Hospital – Quad Cities of Davenport, Iowa, to enter into an agreement with Iowa Donor Network (North Liberty, IA), instead of Gift of Hope OPO (Elmhurst, IL).

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donation practices and policies. They recommended that a requesting hospital be asked to document how a change in Donor Service Area is expected to support improved practice and a potential increase in donation, through collaboration with the local OPO.

In calling for this documentation and guideline for DSA change requests, the Committee Chair and Vice Chair believe that the Select Specialty Hospital – Quad Cities' application offers the government and national organizations an opportunity to demonstrate their support of hospitals working with their local OPOs to support and improve donation, reach national performance goals, and save lives.

We appreciate the opportunity to comment on this important proposal. If you have questions regarding our comments, or if we can provide information that would be useful to you as you reconsider the proposal, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Walter K. Graham". The signature is fluid and cursive, with a long horizontal stroke at the end.

Walter K. Graham
Executive Director

cc: Sue McDiarmid, M.D., UNOS President