Approved 10/21/2026

New York State Transplant Council
Minutes of the April 30, 2026 Meeting

Council Members in Attendance for the Purpose of Determining Quorum:
Chair-Lewis Teperman, MD; Andrew Flescher, PhD; Chris Kjolhede, MD; Nancy Metzler; Michael Sosna; Jean Emond, MD; Liise Kayler, MD.

Council Members in Attendance by Video Conference:
Aaron Glatt, MD; Vincent Tilson.

Council Members Not in Attendance: Leonard Achan; Barbara Breckenridge; Patricia Dahl; Kevin Gramlich; Milan Kinkhabwala, MD; Ernesto Molmenti, MD; Naveed Masani, MD; Nancy Gallo.

Other Attendees: Samantha Delair, NY Center for Liver Transplantation; Samantha Taylor, New York Center for Liver Transplantation, the New York Cardiothoracic Transplant Consortium; Rob Gruenenfelder, Finger Lakes Donor Recovery Network; Katie Dokus, University of Rochester Strong Memorial Medical Center; Kelsey Gannett, New York Center for Liver Transplantation, the New York Cardiothoracic Transplant Consortium; Ryan Lebne, Lions Eye Bank of the Northeast, Karen Roach, Healthcare association in New York State; Lily Lam, NY Presbyterian; Oscar Corzo, Jamaica Hospital; Elaine Perlman, Waitlist Zero; Jennifer McBride, NYU Langone; Heather Rivers; Fraser Byrne, HRSA; Joy Giampaglia; Mary Nelson, Northwell; Dianne LaPointe Rudow, Mount Sinai; Kristen Phillips, HANYS; Raymond Lynch, HRSA.

Staff: D. Fish, MD; S. Cassidy; L. Mosher; M. Glannon; M. Hennessey; L. Schillinger, A. Nagy, M. Kohn, J. Lermond; D. Doughtery

Meeting Summary

1. **Call to Order & Introduction of Members and Guests**
   Dr. Teperman, Chair of the Transplant Council, called the meeting to order and welcomed attendees. Council members, Department of Health representatives, and participating stakeholders introduced themselves.

2. **Opening Remarks**.
   Douglas Fish, Deputy Commissioner, Office of Health Care Delivery, New York State Department of Health, provided opening remarks. He:
   - Thanked council members and transplant professionals for their continued commitment to organ donation and transplantation in New York State.
   - Recognized the New York State Department of Health's 125th anniversary and highlighted several historical public health milestones.

- Reaffirmed the Department's commitment to public health, health equity, and supporting transplantation services despite evolving federal healthcare policies.
- Reported that the Department's Rural Health Transformation Program application had been selected for funding.

Council members expressed appreciation for the Department's continued support and emphasized the importance of sustained funding for transplantation programs.

3. **Report of the Chairperson**

Attendance and Quorum:

- The Council did not achieve a quorum.
- Vice Chair elections were postponed until the October meeting.
- Members were encouraged to attend the next meeting in person to ensure quorum.

Council Membership:

- Kevin Gramlich's reappointment remains pending.
- Four Assembly seats also

4. **Approval of Previous Minutes**

The previous meeting minutes were circulated. Formal approval was deferred due to the lack of a quorum.

5. **State Legislative and Department Updates**

The Department of Health reported two recent statutory changes:

a. Public Health Law §4363 – Organ Waiting Lists
   - The prohibition against multiple transplant center waiting list registrations in New York State was removed. Effective October 16, 2025.
   - Council members noted that this legislative change reflected a previous recommendation made by the Transplant Council.

b. Public Health Law §4301 – Anatomical Gifts
   - The law now includes a "close friend" among individuals authorized to execute an anatomical gift when higher-priority decision-makers are unavailable.
   - Signed February 13, 2026.
   - Effective May 20, 2026.
   - Members discussed how this amendment may improve authorization opportunities for patients without immediate family.

Administrative Consent Discussion:

The Council discussed reports that administrative consent for organ donation involving unidentified or unrepresented patients has become more difficult due to changes in New York City Police Department procedures. Discussion included:

- Increased challenges completing diligent searches for next of kin.
- Potential impact on donation opportunities for patients without family or legal representatives.
- The need for additional legal clarification.

Department staff agreed to gather additional information for a future meeting.

Organ Donor Registry Update:

The Department reported implementation of legislation requiring health insurance plans offering major medical coverage to include organ donor registration opportunities during enrollment renewal and online member portal registration. Moving on to this upcoming year we are in the process of adding a new source that will include the electronic health record patient portal.

Council members noted continued growth in New York's donor registration rate and recognized the success of statewide donor registration initiatives.

6. **Federal Updates**

OPTN Update: Dr. Raymond Lynch provided an update regarding ongoing federal OPTN modernization efforts. Discussion topics included:

- Current transition activities including technology, data analytics, governance, operations, and innovation.
- A phased approach: Phase I-Build Oversight and Operational Capacity, Phase II-Establish Independent Governance, Assess the System, & Modernize Operations, Phase III-Implement a Modern, Competitive, Multi-Vendor System
- Modernization includes going from the historical one contractor (United Network for Organ Sharing-UNOS) to transition to having best in class contractors for all the various roles that the OPTN needs.
- The modernization will improve the National System for patients and families, for clinicians and OPTN members, and for the public and registered organ donors.
- Outlined key accomplishments in 2025 related to the modernization transition activities.
- Discussed the progress made in 2026 so far.

- Town Halls being held geared towards providing OPTN members the ability to give their feedback on critical priorities, wins or areas where things can be done better to support the OPTN.
- The Road Ahead: Modernization is a multi-year process, and HRSA is committed to sustained progress, continued transparency, and ongoing engagement with the communities who rely on this system.
- Continuous discussions are being held between HRSA and CMS to better align OPO and Transplant Programs to update each other on findings and progress with key areas.
- Regional in-person meetings come with substantial costs so responsible use of the resources that are collected from patient registration fees are prioritized in other things right now. Relying on the regional counselors to receive input and bringing information back to their regions.

Council members encouraged continued communication between regional representatives and transplant professionals.

7. New York State Department of Health Updates Continued

Licensure and Survey Updates, Department staff reported:

- Lung transplant Certificate of Need applications now require full review rather than limited review.
- In September 2025 CMS put out a memo about prioritizing transplant program reapproval surveys based on performance.
- No New York transplant programs were identified for priority reapproval surveys.
- Updated CMS transplant survey tools and training materials have been incorporated into Department survey processes.
- Updated transplant basic training available on CMS' Quality, Safey, and Education (QSEP) online portal. Revisions are based on outdated guidance in the State Operations Manual (SOM) Appendix X.

Current Certificate of Need activity includes:

- NYU Brooklyn transplant program extension request.
- Long Island Jewish pediatric heart transplant program pending initial survey.
- North Shore adult pancreas transplant program pending Medicare approval requirements.

Certificate of Need Process Discussion:

Council members discussed concerns regarding the current sequencing of state approval and OPTN approval for new transplant programs.

Members expressed concern that requiring OPTN approval before state review creates unnecessary financial burdens by requiring programs to recruit transplant personnel before receiving state approval.

A motion was introduced recommending that New York State revise the approval process to allow state review before final OPTN approval. Because a quorum was not present, the Chair directed that the motion be distributed electronically for Council member voting.

Federal Oversight Discussion:

The Council discussed ongoing concerns regarding:

- OPTN governance transition.
- Reduced stakeholder participation in committee activities.
- Transparency of allocation data.
- Availability and interpretation of transplant performance metrics.
- Oversight of out-of-sequence organ allocation practices.

Members emphasized the importance of transparent data reporting and continued multidisciplinary involvement in policy development.

Living Donor Support Program Update:

Program staff reported ongoing improvements to reimbursement processes for living donors. Discussion included:

- Launched 10/22/2025
- Eligibility Criteria: Both the donor and the ultimate intended recipient must be New York State residents**.**
- Review of demographic and fiscal data from initial six months of the program.
- Retrospective reimbursement procedures and potential future options for advance funding mechanisms.
- Documentation requirements for wage reimbursement.
- Coordination with New York State disability benefits.
- Continued efforts to streamline reimbursement while maintaining program integrity.

Wadsworth Center Updates:

Tissue Bank Regulations Part 52 published still in public comment period ends May 4th. Has had some comments come in but have not done an analysis of them yet, which will

be done once the period closes. Will be brought back to the council for consultation before regulations are adopted.

8. Standing and Special Committees

NASEM Committee update provided by Nancey Metzler:

- Shifting focus to planning an in-person collaborative that would focus on donation and transplantation, including in particular donor hospitals, OPOs and Transplant Centers. Hopefully to be scheduled this fall. Feels there is value in gathering together specifically due to the OPTN not meeting regularly in-person at this time.
- Dr. Teperman: Called for council motion to endorse, in-person meetings with OPOs, transplant center and donor hospitals. Motion was deferred due to lack of quorum.

Ethics Committee update provided by Andrew Flescher, PhD:

- Xenotransplantation-Dr. Flescher discussed the status of a paper written on xenotransplantation in the clinical trial phase. The OPTNFS committee has received permission to vote and approved the paper. The paper is currently pre public comment and final draft form, with HRSA for review.

9. New and Other Business

Next meeting date potentially October 21, 2026. Chair of the Council expressed again the importance of in-person attendance at the council meetings due to needing a quorum for motions and voting.

Council members discussed the increase of registered organ donors in the State although still being below the national average. It is important to keep up the great work to continue to increase our numbers.

10. Adjournment

The Chair Dr. Teperman thanked all presenters and participants for their continued commitment to organ donation and transplantation. The meeting adjourned with plans to reconvene at the October meeting at 3:30pm.