

Center for Donation & Transplant Fact Sheet Health Care Professionals

Introduction

In 1998 the Centers for Medicare and Medicaid Services (CMS) published a Final Rule that stipulates that hospitals must meet several requirements designed to increase rates of organ donation. These Conditions of Participation are as follows:

- Hospitals must have an agreement with an organ procurement organization (OPO) to recover organs and must have an agreement with at least one tissue bank and one eye bank to coordinate donation of tissues and corneas.
- Hospitals must report all deaths and all imminent deaths to its OPO. The OPO will then determine the individual's suitability to be a donor.
- The family of every potential organ or tissue donor must be approached about the option of donation.
- Only designated requestors trained by the OPO will be allowed to offer the option of organ and tissue donation.
- Hospitals must work with the OPO and tissue and eye bank's in educating staff on donation issues, reviewing death records to improve identification of potential donors, and maintaining potential donors while evaluation takes place.

OCR/HIPAA Privacy Regulations

This provision is intended to address situations in which an individual has not previously indicated whether he or she seeks to donate organs, eye, or tissues (and therefore authorized release of protected health information for this purpose). In such situations, this provision is intended to allow covered entities to initiate contact with organ and tissue donation and transplantation organizations to facilitate transplantation of cadaveric organs, eyes, and tissues.

Part 164.512 (h) - Uses and disclosures for which consent, an authorization, or opportunity to agree or object is not required. Uses and disclosures for cadaveric organ, eye, or tissue donation purposes. A covered entity may use or disclose protected health information to organ procurement organizations or other entities engaging in the procurement, banking or transplantation of cadaveric organs, eyes, or tissue for the purpose of facilitating organ, eye, or tissue donation and transplantation.

When You Are Required to Call CDT Clinical Triggers/Timely Referral

CDT must be notified about any **ventilated** patient that meets the following clinical triggers, prior to the withdrawal of support or deceleration of care.

Your ventilated patient meets one of the following additional criteria:

- Glasgow Coma Scale equal to or less than 5
- Severe neurological insult or injury
- Absent three or more brain stem reflexes
- A discussion of comfort care or terminal extubation is going to be discussed with the family.

The timely referral of all patient's when they meet the clinical triggers is critically important. It allows the patient's family an opportunity to be educated about donation, discuss the options and make an informed decision as a part of their end-of-life decision making. It also

allows the patient's stability to be maintained so that donation is medically possible if the family gives consent

How to Make a Referral

To refer a potential organ or tissue donor any time of day or night, call 1-800-803-6667. The first step in making a referral is to ensure you have the medical chart on hand so you are prepared to discuss the patient's diagnosis and background. You will be asked:

- The patient's age, sex, race, medical/social history and current diagnosis. More detailed information may be asked.
- Name and phone number of patient's next of kin

Evaluation of Potential Organ Donors

If a patient has been declared brain dead or imminent brain death is approaching and the patient meets the general medical criteria, a CDT coordinator will come to the hospital for further evaluation. The evaluation may include reviewing patient course of action, medical & social history, hemodynamics, laboratory values and organ specific testing.

Talking to Families About Donation

CMS conditions of participation stipulate the only people authorized to discuss organ or tissue donation within a hospital setting are designated requestors. CDT staff members are the only designated requestors in the areas they serve. If a family approaches you with questions about organ or tissue donation, please contact CDT at 1-800-803-6667 and ask to speak with a coordinator.