

ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK (OPTN)

BYLAWS

These Bylaws govern the structure and operation of the Organ Procurement and Transplantation Network (OPTN). By accepting membership in the OPTN, each Member agrees to comply with all applicable provisions of the National Organ Transplant Act, as amended, 42 U.S.C. 273 *et seq.*; OPTN Final Rule, 42 CFR Part 121; these Bylaws; and OPTN policies as in effect from time to time. The OPTN will conduct ongoing and periodic reviews and evaluations of each Member OPO and Transplant Hospital for compliance with the OPTN Final Rule and OPTN policies. All OPTN Members are subject to review and evaluation for compliance with OPTN policies. All such compliance monitoring is performed using processes and protocols developed by the OPTN Contractor in accordance with the contract with the Department of Health and Human Services (HHS), Health Resources and Services Administration (HRSA), to operate the OPTN (OPTN Contract).

ARTICLE III

NOMINATING COMMITTEE

- 3.1 Composition.** There shall be a Nominating Committee that is composed of no more than Twelve Directors. The President; the two Immediate Past Presidents; the Vice President; the Vice President of Patient and Donor Affairs; one Histo compatibility Representative; one OPO Representative; one Transplant Coordinator Representative; Patient Representative(s); Public Member(s) (including representatives of organ donors, family members, and voluntary health organizations); and two representatives from the Regional Councillors, the Heart Transplant Representative, the Minority Transplant Representative, the Medical/Scientific Organization Representatives and the At Large Representatives; such members of the Board of Directors as are appointed by the President shall serve as the Nominating Committee. The Executive Director, Project Officer for the OPTN Contract, and Director of the Division of Transplantation, within HHS, or their respective designee(s), shall also serve *ex-officio* but shall not have a vote.
- 3.2 Process.** Prior to the annual meeting of Members and prior to any special meeting of Members at which the election of Directors or the Principal Officers is to be held, the Nominating Committee shall recommend to the Board of Directors a slate of nominees for election as Directors and Principal Officers. The Board of Directors shall attach the slate of nominees, with such modifications as it shall adopt, to the notice of the meeting.