

## **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 V

### EXECUTIVE DIRECTOR

- 5.1 Position.** A full time, salaried Executive Director employed by the OPTN Contractor and appointed by the Board of Directors, shall assist and report to the President. The Executive Director shall coordinate the activities of the Permanent Standing Committees and shall maintain the current list of names and addresses of the Directors and Members. Subject to review by the Treasurer, the Executive Director, on behalf of the OPTN Contractor, shall separately account for the revenues and expenses of the OPTN in an OPTN Fund carried on the books of the OPTN Contractor and shall keep the books of account of the OPTN Fund, which shall be open at all times to any Director.
- 5.2 Term.** The Executive Director serves for such term as may be determined by the Board of Directors and may be re-appointed to successive terms at the discretion of the Board.
- 5.3 Conflicts of Interest.** It is the policy of the OPTN to avoid conflicts of interest and the appearance of conflicts of interest. The Executive Director is required to disclose positions or activities that might provide him/her with personal or financial interests in the outcomes of matters affecting the OPTN, thereby posing a potential conflict of interest with duties of the Executive Director and to act accordingly.

