

## **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 VIII

### MISCELLANEOUS

- 8.1 Fiscal Year.** The fiscal year of the OPTN, unless otherwise fixed by the Board of Directors, shall extend from October 1 – September 30.
- 8.2 Obligations.** The Board of Directors may authorize the OPTN Principal Officers and Executive Director to borrow money and to give notes, bonds, or other obligations of the OPTN Contractor therefor on behalf of the OPTN Fund under such rules, regulations, and limitations as the Board may from time to time adopt. The Board of Directors may authorize any officer or agent of the OPTN to execute or endorse checks, drafts, and other similar obligations under such rules, regulations, or limitations as it may from time to time adopt provided such authorizations are consistent with the requirements of the OPTN Contract.
- 8.3 Certification of Records.** Any action taken by the Members or Board of Directors at any meeting may be certified by the Secretary, by the Executive Director, or by the Officer or Director keeping the records or presiding at such meeting. Any such certificate shall be conclusive evidence for all purposes that the action certified was taken. Copies of written reports from the Permanent Standing Committees to the Board of Directors presented in sessions of Board meetings open to the public shall be available to the public following such presentation. Copies of minutes from portions of meetings of the Board of Directors open to the public shall be available to the public following approval of the minutes by the Board.

