

Health Resources and Services Administration

Supporting Statement A

Organ Procurement & Transplantation Network Board of Directors and Committee Member Applications and Forms

OMB Control No. 0906-NEW

Terms of Clearance: None.

A. Justification

1. Circumstances of Information Collection of Information Necessary

The Health Resources and Services Administration (HRSA) requests OMB approval for a new information collection entitled Organ Procurement and Transplantation Network Board of Directors (BOD) and Committee Member Applications and Forms, OMB Control No. 0906-NEW.

This package contains the Organ Procurement & Transplantation Network (OPTN) volunteer application documents used to collect information from individuals looking to serve as a member of the OPTN Board or Committees. The information collection includes the OPTN Board of Directors Application; OPTN Committee Application; OPTN conflict-of-interest (COI) forms (annual, tri-annual, and ad hoc); OPTN attestation form; OPTN code of conduct form; and OPTN confidentiality agreement.

The OPTN is a public-private partnership that links professionals involved in the U.S. donation, procurement, and transplantation system. The OPTN focuses on promoting long, healthy, and productive lives for people with organ failure. The OPTN also aims to increase opportunities for transplants, optimize organ use, enhance efficiency, and prioritize patient care. The OPTN BOD is authorized by section 372 of the National Organ Transplant Act of 1984 (NOTA) (see 42 U.S.C. § 274(b)(1)(B)), and the operational composition of the OPTN BOD is further codified in federal regulation under

the regulations implementing NOTA (see 42 C.F.R. § 121.3(a)). These regulations also provide that the OPTN BOD shall establish committees “as are necessary to perform the duties of the OPTN” and describe the composition of these committees (see 42 C.F.R. § 121.3(a)(4)). As part of the ongoing OPTN Modernization Initiative, HRSA seeks OMB approval of applications to be completed by candidates interested in volunteering to serve on the OPTN BOD and/or on the committees that support the BOD. Members of the OPTN BOD and committees do not receive payment for this work. HRSA also seeks approval of conflict-of-interest, code of conduct, confidentiality, and attestation forms to be completed by the selected/confirmed members of the OPTN BOD and committees on an annual, tri-annual, or ad hoc basis.

The application forms are necessary to collect information regarding applicants' professional backgrounds, qualifications, expertise, experience in organ donation and transplantation, and areas of interest. The remaining forms support the ethical, operational, conflict-of-interest, and confidentiality requirements associated with service on the OPTN Board and committees.

Without this information, HRSA and the OPTN would have limited ability to evaluate candidates for volunteer governance positions and to identify and manage actual, potential, or perceived conflicts of interest and other governance requirements associated with Board and committee service.

2. Purpose and Use of the Information

The OPTN BOD consists of 35 members who serve two-to-three-year terms and is supported by 21 committees with a total of approximately 419 members with the same term limits. Select members of the BOD also serve on committee(s) as Visiting Board Members. In addition, there are ad hoc committees or BOD workgroups that may be established to work on time-limited issues, and members (up to 20 additional per year) would fill out the annual COI form as well, as other members already receive the form as per their other OPTN committee roles. Given some committee turnover, there are approximately 505 committee and BOD members filling out the annual COI form, code of conduct, confidentiality, and attestation form every year, and 841 OPTN review board members who fill out the annual COI form, code of conduct, and attestation form.

HRSA and the OPTN will use the information collected through the BOD and Committee Applications to evaluate applicants' qualifications, expertise, professional and lived experience, and other information relevant to service in OPTN volunteer governance roles. The information will support a structured nomination and selection process and help ensure that individuals selected for Board and committee service possess the knowledge, skills, experience, and perspectives necessary to support the OPTN responsibilities.

Information collected through the COI forms will be used to identify, evaluate, monitor, and manage actual, potential, or perceived conflicts of interest involving members of the OPTN Board, committees, and review boards. Annual disclosures will establish relevant conflict-of-interest information, while recurring and ad hoc disclosures will enable HRSA and the OPTN to identify changes or circumstances that may arise between annual disclosures. The attestation form, code of conduct form, and confidentiality agreement will be used to document volunteers' acknowledgment of and compliance with applicable governance, ethical, conduct, and confidentiality requirements.

Collectively, these information collections support transparent governance, qualified representation, accountability, integrity, and public trust in the operation of the OPTN.

3. Use of Improved Information Technology and Burden Reduction

The information will be collected through web-based, self-administered forms. Electronic collection will allow respondents to complete and submit information without requiring paper submission and will facilitate the efficient collection and review of information by HRSA and the OPTN.

Where appropriate, the forms use structured response options, including yes/no responses, check boxes, and drop-down selections, to reduce respondent burden. Conditional questions are used where applicable so that respondents provide additional information only when relevant to their circumstances.

4. Efforts to Avoid Duplication and Use of Similar Information

The information collected through these forms is specific to individuals applying for or serving in OPTN Board and committee positions and is necessary to evaluate applicants and administer applicable governance requirements. The information concerning applicants' qualifications, interests, current circumstances, conflicts of interest, and acknowledgments cannot be obtained from another source in a manner that would satisfy the purposes of this collection. This information is not duplicative of another information collection.

5. Impact on Small Businesses or Other Small Entities

No small businesses will be involved in this data collection.

6. Consequences of Collecting the Information Less Frequently

The BOD and Committee documents are necessary to obtain current information about individuals seeking appointments or election to OPTN volunteer governance positions. Collecting this information less frequently would limit HRSA's and the OPTN's ability to

evaluate applicants for available Board and committee positions. Collecting COI less frequently could mean missing critical information on updated conflicts by volunteers working on member-specific issues.

7. Consistency With the Guidelines in 5 CFR § 1320.5

The request fully complies with the regulation.

8. Comments in Response to the Federal Register Notice/Outside Consultation

Section 8A:

A 60-day Notice was published in the **Federal Register on August 6, 2026**, (91 FR 50861). A 30-day Notice was published on October 27, 2026 (91 FR 67589). HRSA received comments from one entity during the 60-day comment period, the Association of Organ Procurement Organizations. The commenter recognized the important role of volunteers within the OPTN and provided recommendations intended to clarify and improve the proposed Board of Directors and Committee Volunteer Interest Forms and the conflict-of-interest (COI) disclosure forms. The commenter recommended revisions to the forms related to questions concerning applicant disciplinary history, Organ Procurement Organization (OPO) roles and transplant programs, living and deceased donor experience, social media information, prior OPTN volunteer service, financial interests, and the frequency of recurring COI disclosures.

On Form 1, the commenter asked for the justification for requesting social media handles and expressed concern that they would be used to screen out applicants with divergent views.

HRSA Response: HRSA removed an optional open-ended question regarding social media handles.

On Form 1, the commenter expressed concern that a question asking about an applicant's employer facing regulatory discipline could require an applicant to disclose confidential information.

HRSA Response: HRSA revised the question concerning criminal, ethics, or regulatory disciplinary matters. The revised question no longer requests information concerning disciplinary matters involving an applicant's employer and separates the remaining inquiry into two yes/no questions addressing prior actions and currently pending matters regarding the applicant and not the employer.

On Form 1, the commenter also asked, for clarification purposes, to list "organ donor" as "living donor" and allowing for OPO experience to be marked as either OPO-

administrative versus OPO-clinical.

HRSA Response: HRSA revised Form 1 and accepted both of these changes.

On Form 1, The commenter expressed concern that questions asking patient and family members about their advocacy and outreach experience may discourage people from applying if they lack this experience.

HRSA Response: Regarding the comment that the questions may discourage applicants who lack outreach or advocacy experience, the form also asks for other background experience in areas such as finance, governance, and ethics. The nominating committee considers all applicants, and inclusive language will be included in outreach materials for these roles.

On Forms 1 and 2, the commenter suggested some questions did not appear to apply to the procurement side because they only mentioned transplantation experience.

HRSA Response: On Forms 1 and 2, HRSA broadened “transplant” language throughout to “transplant, donation, or procurement” in order to be more inclusive to applicants on the donation or procurement side.

On Form 3, the commenter suggested the financial question in the COI form was overly broad and should be more limited.

HRSA Response: HRSA clarified in the COI form (the annual COI form as well as the tri-annual COI form) that financial conflicts should exclude salary from current employers and exclude investments in broadly diversified funds. However, HRSA is not adopting the proposed 5% threshold. The question intentionally reaches the broader concept of an individual's or family member's “ownership or beneficial interest.” A 5% threshold could exclude financial interests that might still create an actual, potential, or perceived COI in the OPTN context.

On Form 3, the commenter expressed concern that disclosing information in the COI form could be used to screen applicants with diverse views from serving.

HRSA Response: HRSA appreciates the commenter’s concern. As noted in the instructions, answering “Yes” to any question does not automatically preclude an individual from serving. Rather, the information provided is used to assist in assessing the relevant circumstances.

On Form 3 and Form 4, the commenter suggested an annual filing with reminders to file any changes in the interim as they occur rather than the tri-annual cadence between annual filings.

HRSA Response: The OPTN has members fill out the form proactively with updates on a tri-annual basis to ensure the most recent COI information is collected to uphold the strongest governance standards. However, volunteers are also asked to submit updates every time a change takes place between filings so COI information is up to date ahead of every meeting.

Section 8B:

In developing and revising the forms included in this information collection, the OPTN Board Support contractor consulted with the five OPTN Board Officers with direct experience using the forms during prior application, selection, and volunteer onboarding cycles. Their feedback informed consideration of the clarity of instructions, the relevance and availability of requested information, the organization and format of the forms, and the data elements to be collected.

Based on feedback from leadership of the OPTN Board of Directors, on Forms 1 and 2, HRSA added two employment-related questions regarding the applicant's current employment status and whether the applicant's employer is aware of the application. These questions require only selection from predefined response options and are expected to require negligible time to complete.

The OPTN Board Support contractor recommended two additional questions to the volunteer applications: asking "What is your employment status?" and "Is your current employer/organization aware of your application?" based on its experience administering the forms and supporting prior OPTN Board and committee application, selection, and volunteer onboarding processes. These recommendations were intended to improve the usefulness and clarity of the information collected and to support administration of the OPTN volunteer governance process.

The recommendations also included consolidating four of the COI questions in both the annual and tri-annual forms down to two so that there are a total of six instead of a total of eight COI questions in each. HRSA reviewed the forms, OPTN Board Support contractor's recommendations, and the resulting revisions to ensure that the information requested is appropriate for the intended purpose of each collection.

The forms support implementation of OPTN governance requirements established in the OPTN Bylaws and OPTN Management and Membership Policies. These governing documents establish requirements related to the composition and selection of the OPTN Board of Directors and committees, and requirements applicable to Board and committee service, including the code of conduct, COI, confidentiality, and attestation forms.

9. Explanation of any Payment/Gift to Respondents

There is no remuneration to respondents.

10. Assurance of Confidentiality Provided to Respondents:

All data collected will be subject to Privacy Act protection (Privacy Act System of Records #09-90-0001). The application materials and other forms collect information on individuals applying for and serving in OPTN Board and committee positions. All application and governance form data received are stored electronically. Processes and protocols to maintain confidentiality are imposed and adhered to by all relevant OPTN contractors.

11. Justification for Sensitive Questions

Some questions request sensitive information regarding disciplinary actions, employment or financial relationships, and potential conflicts of interest. This information is necessary to evaluate applicants and identify and manage actual, potential, or perceived conflicts of interest. Respondents are informed that disclosure of a potential conflict does not automatically preclude service.

12. Estimates of Annualized Hour and Cost Burden

Estimates are based on the anticipated number of individuals who will apply for or serve in volunteer governance roles within the OPTN and the expected frequency of each information collection. HRSA estimates approximately 304 responses annually for the OPTN Board of Directors Application and 838 responses annually for the OPTN Committee Application. Because Board and committee members generally serve two-to-three-year terms, the estimated number of application responses is annualized to account for recruitment and selection cycles.

HRSA estimates that approximately 505 Board and committee members will complete the annual COI form, attestation form, code of conduct form, and confidentiality agreement each year. Approximately 74 respondents will complete the Tri-Annual Conflict-of-Interest Form three times annually and may complete Ad Hoc Conflict-of-Interest Forms prior to monthly Board meetings and other meetings involving specific institution-based discussions. In addition, approximately 841 members of OPTN Review Boards will fill out the annual COI form, confidentiality agreements, and code of conduct forms. Thus the number of respondents for these categories increased from 505 (Board and committee members) to 1,346 to reflect the 841 Review Board volunteers.

The average burden per response ranges from 0.08 hours for the shorter governance forms to 1.50 hours for the Board Application.

The estimated total annual burden for this information collection is 2,110.84 hours across all respondents annually, including annual and tri-annual COI forms. HRSA made minor revisions to several forms, and in the annual and tri-annual conflict of interest forms consolidated 8 conflict questions down to 2. In addition, since two

questions were added to the application forms, the time increased slightly for the committee application, but remained the same for the board application as two questions were removed. HRSA also increased the total volume of respondents by adding 841 review board members volunteers to receive the COI, confidentiality, and code of conduct forms annually. Thus, the total number of responses increased from the 60-day FRN to the 30-day FRN from 5,160 to 7,683, and the total burden hours increased from 1,870.39 to 2,110.84.

12A. Estimated Annualized Burden Hours

Form #	Form Name	Number of Respondents	Number of Responses per Respondent	Total Responses	Average Burden per Response (in hours)	Total Burden Hours
1	OPTN Board of Directors Volunteer Interest Form ⁺⁺	304	1	304	1.50	456.00
2	OPTN Committee Interest Form ⁺⁺	838	1	838	1.27	1,064.26
3	OPTN Annual Conflict-of-Interest Disclosure Questionnaire ⁺	1,346	1	1,346	0.13	174.98
4	OPTN Conflict-of-Interest Disclosure: Tri-Annual Update ⁺	74	3	222	0.08	17.76
5	OPTN Ad hoc Conflict-of-Interest Disclosure Questionnaire ^{***}	74	24	1,776	0.08	142.08
6	OPTN Attestation Form	505	1	505	0.08	40.40
7	OPTN Code of Conduct Form	1,346	1	1,346	0.08	107.68
8	OPTN Volunteer Confidentiality Agreement ⁺	1,346	1	1,346	0.08	107.68
	Total	5,833		7,683		2,110.84

*Estimated responses per year, every two to three years.

**Board members submit ad hoc conflict-of-interest forms prior to each monthly meeting and before any

ad hoc Board meeting or Executive Board meeting with specific institution-based discussion.

⁺Form name has been updated since the publication of the 60-day Federal Register Notice

The burden estimates are based on the time required to complete each form. The information collection includes applications for individuals interested in OPTN Board and committee service and forms supporting the onboarding and ongoing governance responsibilities of selected volunteers.

Planned frequency of information collection:

The OPTN Board and Committee applications are collected in connection with recruitment and selection cycles. The annual COI form, attestation form, code of conduct form, and confidentiality agreement are collected annually. The tri-Annual COI form is collected three times per year, and the ad hoc COI form is collected as needed prior to applicable Board meetings or discussions.

12B. Estimated Annualized Burden Costs

Respondents to this information collection include transplant professionals, patients, donors, family members, caregivers, and other stakeholders who apply for or serve in volunteer governance roles within the OPTN. Because the individuals completing the forms will vary, an average hourly wage rate of a Registered Nurse as of [May 2025, \\$46.90](#), is used to estimate respondent costs. Doubling the hourly wage rate to account for fringe benefits and overhead costs results in a total hourly cost of \$97.52. Based on an estimated 2,110.84 annual burden hours, the total estimated annualized burden cost to respondents is \$205,849.12.

Form #	Form Name	Total Burden Hours	Hourly Wage Rate (x2)*	Total Cost
1	OPTN Board of Directors Volunteer Interest Form	456	\$97.52	\$44,469.12
2	OPTN Committee Interest Form	1,064.26	\$97.52	\$103,786.64
3	OPTN Annual Conflict-of-Interest Disclosure Questionnaire	174.98	\$97.52	\$17,064.05
4	OPTN Conflict-of-Interest Disclosure: Tri-Annual Update	17.76	\$97.52	\$1,731.96

5	OPTN Ad hoc Conflict-of-Interest Disclosure Questionnaire	142.08	\$97.52	\$13,855.64
6	OPTN Attestation Form	40.4	\$97.52	\$3939.81
7	OPTN Code of Conduct Form	107.68	\$97.52	\$10,500.95
8	OPTN Volunteer Confidentiality Agreement	107.68	\$97.52	\$10,500.95
	Total	2,110.84		\$205,849.12

*Based on May 2025 Bureau of Labor Statistics Occupational Employment and Wage Statistics profiles for Registered Nurses.

Planned frequency of information collection:

The OPTN Board and Committee applications are collected in connection with recruitment and selection cycles. The annual COI form, attestation form, code of conduct form, and confidentiality agreement are collected annually. The Tri-Annual Conflict-of-Interest Form is collected three times per year, and the Ad Hoc Conflict-of-Interest Form is collected as needed prior to applicable Board meetings or discussions.

13. Estimates of other Total Annual Cost Burden to Respondents or Recordkeepers/Capital:

Costs

(a) Total Capital costs and start-up costs component:

Users have computers for their normal business activities and no special software is required to fill out the online forms; therefore, they will not need to change maintenance practices for this purpose. There is no additional cost.

(b) Total Operation and maintenance and purchase of services component:

Users have computers for their normal business activities and, therefore, will not need to change maintenance practices for this purpose. There is no additional cost.

14. Annualized Cost to Federal Government:

Upon approval of these forms, the forms will be collected through OPTN 360, a secure, centralized collaboration platform for OPTN governance activities. The platform supports the Board of Directors, committees, and advisory groups through dedicated OPTN email addresses and integrated Microsoft 365 tools. This platform was built in FY26 with the ability to host Microsoft forms from current volunteers authenticated into the system, and also to offer Microsoft forms to members of the public interested in applying to be a volunteer in the OPTN even without having an authenticated OPTN 360 account yet. The system is already established and setting up the remaining forms will be minimal work, which is already factored into existing platform contracts. Capital costs, and operations and maintenance costs for these activities fall under an existing fixed price OPTN 360 contract for FY27, which is \$2,999,797.89.

15. Explanation for Program Changes or Adjustments

This is a new information collection.

16. Plans for Tabulation, Publication, and Project Time Schedule

HRSA and the OPTN will collect application information in connection with recruitment and selection for OPTN Board and committee vacancies and will collect onboarding and recurring forms from individuals selected to serve in OPTN volunteer roles. There are no plans to tabulate or publish the information collected through these forms, which contain personally identifiable information. The information will be used for the evaluation and selection of applicants and for ongoing governance oversight, including identifying and managing conflicts of interest, documenting compliance with governance requirements, and protecting confidential information.

17. Reasons(s) Display of OMB Expiration Date is Inappropriate

The OMB number and expiration date will be displayed on every page of every form/instrument.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

There are no exceptions to the certification.