

Navigating DCD Cases: First Person Authorization Opposition

TODAY'S PANELISTS



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Deanna Fenton

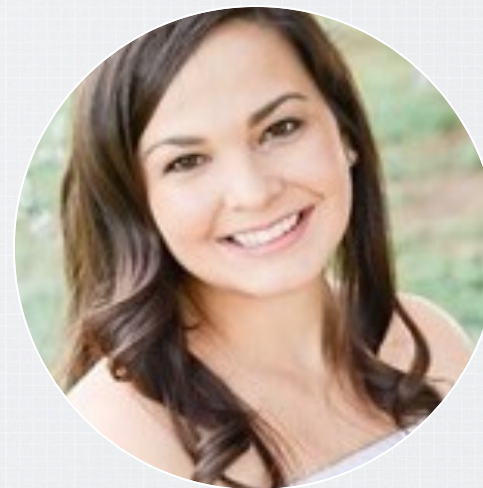
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Meet Our Moderator



Jacqueline Nortman MD

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Meet Our Presenters



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Navigating DCD Cases: First Person Authorization (FPA) Opposition

Presented by:
Jamie Rivas, Zahner Glabere, & LaTunya Peavy

Moderated by:
Jacqueline Nortman



Leadership & Engaged Learning in Organ Donation & Transplantation

June 6, 2023



OVERVIEW

& LEARNING OBJECTIVES

As donation after circulatory death (DCD) continues to grow to meet the needs of the organ transplant waiting list, so does the likelihood of facing opposition to first person authorization (FPA). Over the course of this discussion, we will:

- Review the legalities of first-person authorization as it relates to donation after circulatory death
- Discuss sensitive language for OPO's to use with families & partner hospitals who oppose honoring FPA in DCD cases
- Discuss how to algorithmically approach DCD FPA opposition cases

➔ LEGALITIES of FPA

THE PERSPECTIVES OF 2 OPO'S



- UAGA (Uniform Anatomical Gift Act)
 - Legal interpretation may vary by state
 - Does FPA cover pre-recovery procedures or drug administration or is informed consent required in DCD cases?



LEGALITIES of FPA

THE PERSPECTIVES OF 2 OPO'S

- FPA is a nationally supported legal construct
 - FPA, whether BD or DCD case, gives authority for pre-recovery procedures or drug administration for the purposes of organ donation.
- Each state is responsible for creating parameters
 - Registry, LNOK, general language
- Intentional language with families
- Hospital Handout



Per Wisconsin state statute, chapter

(14) (b) When a hospital or procurement organization of the individual that is or transplantation, therapy, or examination under this part dental records. During the suitability of the part may actual knowledge that the

Rights and duties of the hospital:

Per Wisconsin state statute, chapter

(21) Effect of anatomical declaration, as defined in s. ch. 155, measures necessary therapy may not be withheld power of attorney for health

Per Wisconsin state statute, chapter

146.71 Determination of circulatory and respiratory including the brain stem, in accepted medical standards

Please refer to the hospital policy for declaration of brain death.

At Versiti Organ and Tissue, we may, at times, be challenging. We individual's authorization to donate hope, with this information, that Authorization (FPA). Please feel with any Versiti Organ and Tissue



Regulatory Support for First Person Authorization for Donation

It is the goal of Versiti Organ and Tissue that an individual's First Person Authorization (FPA) for donation of an anatomical gift be supported in every situation. This summary serves as a brief overview of the laws on a state and federal level that require upholding the First Person Authorization.

Patient Name: _____ MRN: _____

Authorization of Anatomical Gift via (specify from list below):

Date of Anatomical Gift: _____

What constitutes First Person Authorization?

Per Wisconsin state statute, chapter 157.06:

(5) MANNER OF MAKING AN ANATOMICAL GIFT BEFORE DONOR'S DEATH.

- (a) A donor under sub. (4) (a) may make an anatomical gift by doing any of the following:
 1. Affixing to, or authorizing a person to imprint on, the donor's driver's license or identification card a statement or symbol that indicates that the donor has made an anatomical gift.
 2. Including an anatomical gift in his or her will.
 3. If the donor has a terminal illness or injury, communicating the anatomical gift by any means to at least two adults, at least one of whom is a disinterested witness.
 4. Signing a donor card or other record that includes an anatomical gift or, if physically unable to sign a record, by directing another individual to sign the record as provided in sub. (2m).
 5. Authorizing a person to include in a donor registry a statement or symbol that indicates that the donor has made an anatomical gift.

Who can amend or revoke an anatomical gift?

Per Wisconsin state statute, chapter 157.06:

(8) PRECLUSIVE EFFECT OF ANATOMICAL GIFT, AMENDMENT, OR REVOCATION.

- (a) Except as provided in par. (g) and subject to par. (f), in the absence of an express, contrary indication by the donor, a person other than the donor may not make, amend, or revoke an anatomical gift of the donor's body or part if the donor has made an unrevoked anatomical gift of his or her body or that part under sub. (5) (a) or an amendment to an anatomical gift of the donor's body or that part under sub. (6) (a).
- (b) A donor's revocation of an anatomical gift of the donor's body or part under sub. (6) (b) is not a refusal to make an anatomical gift and does not bar another person authorized to make an anatomical gift under sub. (4) from making an anatomical gift of the donor's body or part under sub. (5) and does not bar a person who is authorized to make an anatomical gift under sub. (9) from making an anatomical gift under sub. (10).

Rights and duties of the procurement organization:

HOSPITAL HANDOUT

Sample

➔ EVOLUTION of NAVIGATING DCD FPA OPPOSITION

THE PERSPECTIVES OF 2 OPO'S

INDIANA DONOR NETWORK

- Formal process evolved since 2016
- Prerequisites
 - Strong training and support system for staff (OPO & hospital)
 - Strong Aftercare/grief support in place for families
- Observations since implementation
- Ongoing efforts

VERSITI

- Formal process evolved since 2019
- Observations
 - Hesitancy to delay family's desire to extubate (DCD)
 - Strong staff/family emotions around pursual of donation (BD vs DCD)
- Goals
 - Pursue 100% of FPA cases
 - Garner support from hospital staff through education
 - Relationship Building

➔ NAVIGATING DCD FPA OPPOSITION with FAMILIES

THE PERSPECTIVES OF 2 OPO'S

BEFORE the Donation Discussion

- Family readiness tools
 - Ensure right timing

DURING the Donation Discussion

- Compassionate, no “choice” in language
- Possible reasons for opposition
 - “Didn’t know what they were signing up for”
 - “Don’t want donation to interfere with the withdrawal”

AFTER the Donation Discussion & **BEYOND**

- Honor/support resistant families with aftercare/grief program

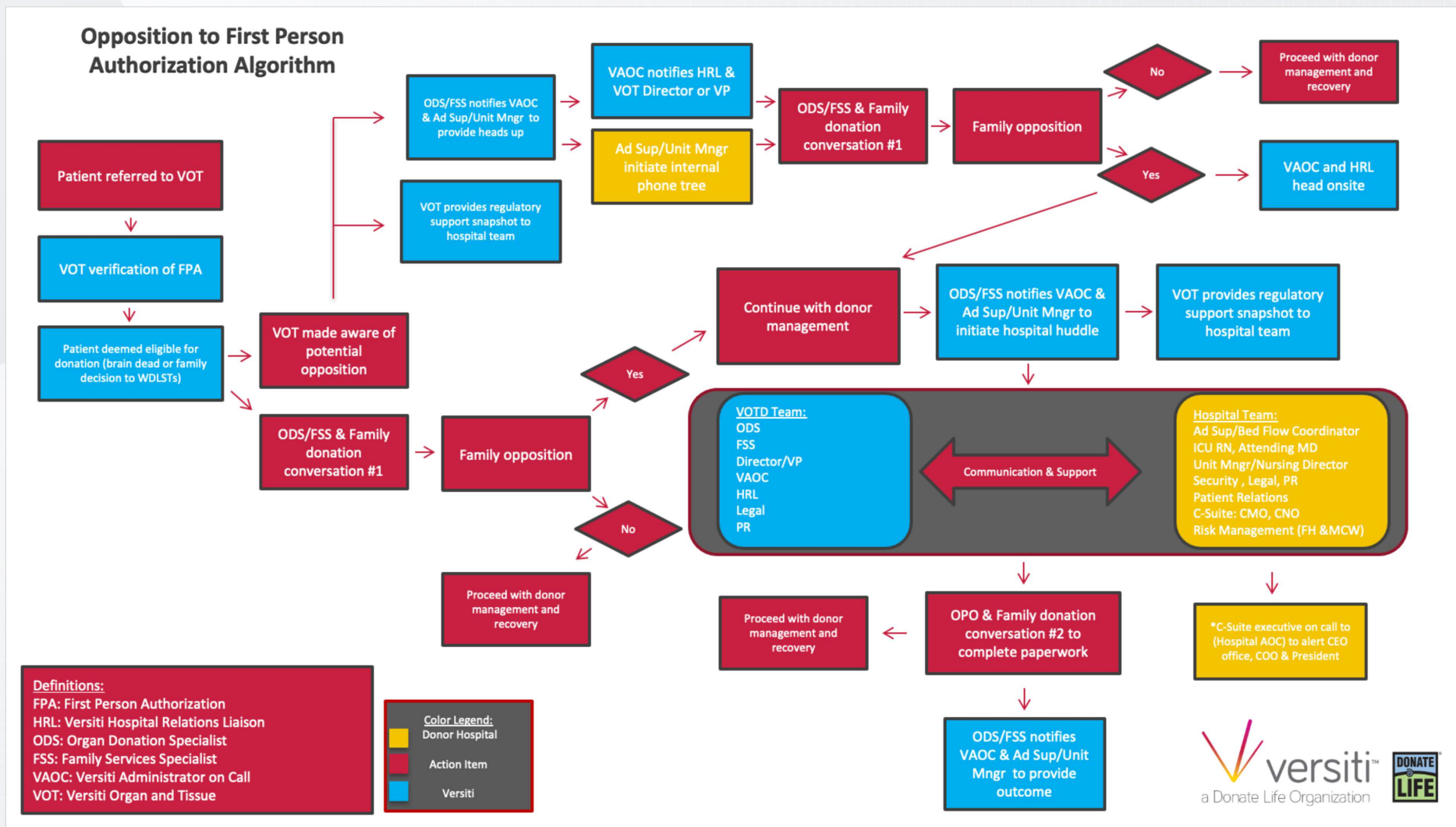
NAVIGATING DCD FPA OPPOSITION with HOSPITALS

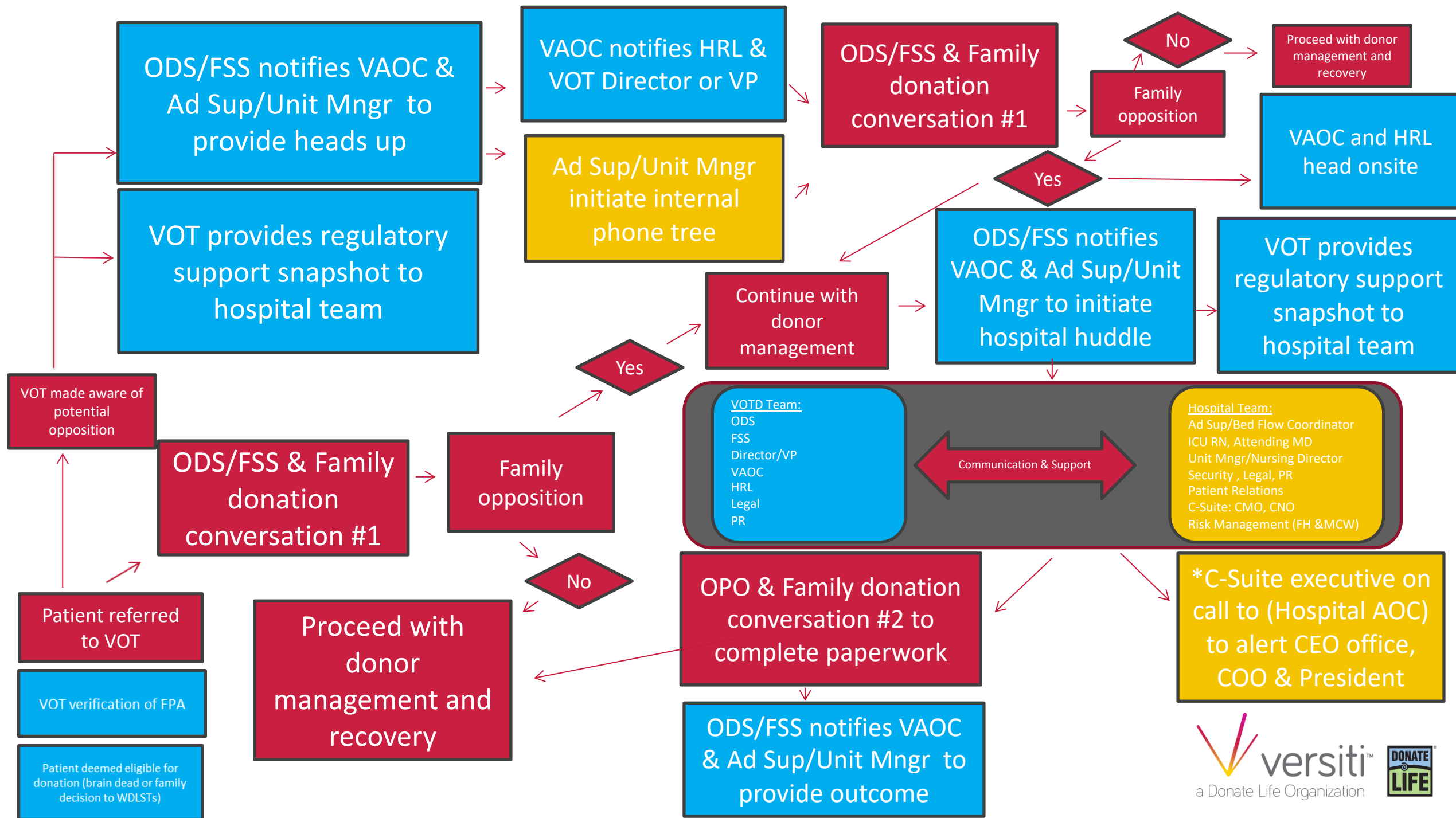
MISSION MOMENT

- 30/M/registered
- Family opposition
 - Over 24 hour of family conversation
- Hospital supported donation
- 1 life saved with gift of a heart

Hola,
I am the mother of Abe. Throughout the stay at the hospital, I hugged my son and listened intently to the strength of his beating heart.
Today knowing that his heart continues to beat and that it gave your life, I am filled with hope.
I would like to get to know you, meet you if that is something you desire, to listen again to my son's heart.
I'll be anxious for your response.
I hope that you are well.
Attentively
The Mamá of Abe.

NAVIGATING DCD FPA OPPOSITION with HOSPITALS





NAVIGATING DCD FPA OPPOSITION with HOSPITALS

THE PERSPECTIVES OF 2 OPO'S

RELATIONSHIP BUILDING: Communication & Support

Versiti Organ and Tissue Team:

Organ Donation Specialist
Family Support Specialist
Director/VP
Versiti Administrator on Call
Hospital Relations Liaison
Legal
PR

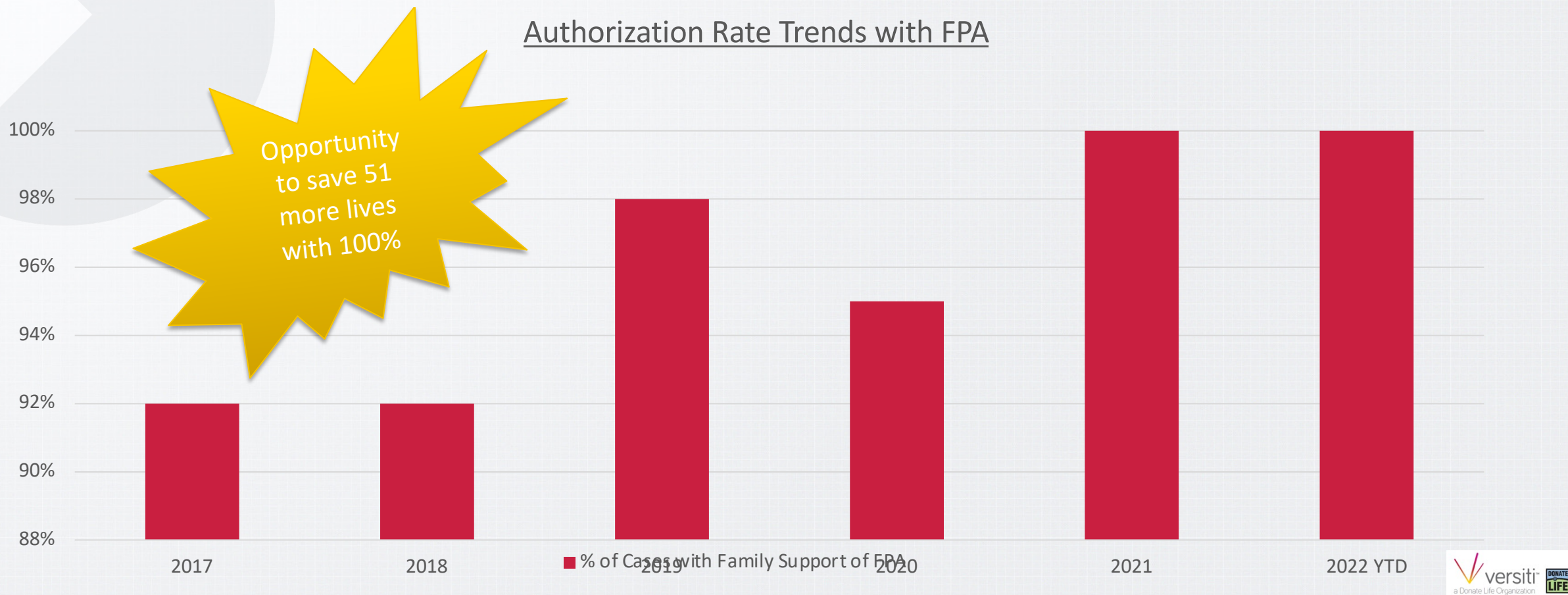
Communication
& Support

Hospital Team:

Ad Sup/Bed Flow Coordinator
ICU RN, Attending MD
Unit Mngr/Nursing Director
Security , Legal, PR
Patient Relations
C-Suite: CMO, CNO
Risk Management (FH &MCW)

NAVIGATING DCD FPA OPPOSITION with HOSPITALS

THE PERSPECTIVES OF 2 OPO'S



➔ NAVIGATING DCD FPA OPPOSITION as an OPO

THE PERSPECTIVES OF 2 OPO'S

CULTURE CHANGE

- Buy-in/Organizational Alignment/Commitment – OPO, Hospital, & Community
 - Legal and Executive Leadership
 - Interviews with OPO staff
 - Round table discussions
 - Hospital - NEO, unit meetings, huddle refreshers, MD meetings
- Education
 - Community
 - Change donation verbiage for FPA cases
 - Create support documents for use in the field
- Case debriefs

NAVIGATING DCD FPA OPPOSITION as an OPO

CRITICAL PIECES OF SUCCESS



ONGOING GOALS

- Seek 100% FPA pursual at all donor hospitals
- Create hospital-specific algorithms with commitment to support 100% of cases

Q & A

Thank you!



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Q&A

QUESTIONS & ANSWERS