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April 17, 2020

### Health Advisory and Public Statement: Solid Organ Transplantation During the COVID-19 State of Emergency

#### Advisory:

On March 23, 2020, Governor Cuomo issued [Executive Order 202.10](#), directing the Commissioner of Health to order all health care facilities, including hospitals and diagnostic and treatment centers, to cancel elective surgeries and procedures during the COVID-19 public health emergency.

The purpose of this document is to clarify that solid organ transplantation surgery is categorized by the Centers for Medicare and Medicaid Services (CMS) as a non-elective procedure. New York State views non-elective procedures as essential services. Likewise, the screening, testing, and evaluation procedures that enable transplantation procedures are also viewed as essential, non-elective procedures. The challenge for hospitals and physicians during this public health emergency is to attain and maintain the ability to perform these essential, non-elective services, while protecting the health and safety of living organ donors and transplant recipients.

Patients awaiting transplant are at a heightened risk for contracting COVID-19. As such, transplant physicians and providers should review the severity of illness of each waitlisted patient with the risk presented with undergoing the transplant surgery in the hospital and risk of potential exposure to COVID-19. Transplant procedures are being performed when the risk associated with not having a transplant outweighs the risks associated with the transplant and potential COVID-19 exposure.

Protection of living donors and living donor candidates is also essential. Living donor candidates must be healthy during the testing and evaluation process. Those that successfully complete the screening process must test negative for COVID-19 immediately prior to surgery. Exposure to COVID-19 can be minimized by having the testing and evaluation process carried out off-site and/or by using telehealth technology. Living donors must be protected not only from the usual risks of donor surgery, but also against the risks associated with the potential for exposure to COVID-19 in the hospital, and upon return to the community in a vulnerable condition.

Since the transmissibility of COVID-19 via organ donation is unknown at this time, and the threat to a patient's life is of prime concern among physicians and other health care providers, the professional societies and associations support transplant practices that include identifying risks and determining if/when the risks outweigh the benefits or vice versa of performing transplants and associated testing.

#### Need for Donors:

There is a shortage of organs available for transplantation to New Yorkers in need. At this time, there

are over 9,600 New Yorkers waiting for an organ transplant. Many organ donors are people who have donated their organs after their death to save the life of another in need. However, living donation, where living people donate a kidney or part of their liver to save the life of another, is increasing.

Testing and evaluation are required of both deceased and living donors. Persons living with organ failure waiting for a transplant can only receive donated organs from donors who match and meet certain criteria. Unless an organ is specifically directed to a specific person in need of a transplant, organs from deceased donors are gifted to people on the waitlist based on the severity of their illness and a number of other factors. Some people are on the waiting list for a long time before they receive a transplant and others may die before it is received. People in need of organ transplants often seek living donors from among their families, friends, and others.

**April is National Donate Life Month. We urge you to consider becoming an organ and tissue donor by enrolling in the NYS Donate Life Registry at <https://donatelife.ny.gov>.**