

August 2, 2022

The Hon. Carole Johnson, Administrator
Health Resources and Services Administration
U.S. Department of Health and Human Services
Rockville, MD 20857

VIA ELECTRONIC MAIL

Dear Administrator Johnson,

United Network for Organ Sharing (UNOS) is proud to have served as the Organ Procurement and Transplantation Network (OPTN) since 1984. In partnership with HRSA, we are nearing a decade of continued growth in the number of organ transplants and we are proud that our partnership with HRSA has yielded the highly equitable and efficient system we know today. We continue to make improvements every day for the benefit of the patients we serve.

UNOS has recently been provided with a document that has since been leaked to the media purporting to be a “draft” United States Digital Service (USDS) report on the OPTN IT system. We have never received an official copy of this draft report, despite a FOIA request to the U.S. Office of Management and Budget (OMB). Unfortunately, the report contains significant factual errors and demonstrably false misstatements about the OPTN IT infrastructure. We understand HRSA may have seen a copy of this report, and so we wanted to extend this invitation to you to discuss these claims to clarify and correct its numerous inaccuracies.

By way of background, the draft USDS report appears to be based entirely on a ninety-minute presentation by UNOS on December 10, 2020, pursuant to a request from HRSA during its 2019 Market Research for the Modernization National Resource Allocation System, as well as UNOS’s responses to a set of follow-up questions submitted by HRSA. The USDS neither engaged with nor sought further information from UNOS during the development of this report, nor were we provided a chance to comment on the report or identify and correct any inaccurate information.

In contrast, the HRSA team has consistently reviewed the performance and security of the OPTN IT system in great detail throughout our performance of the OPTN contracts. HRSA reviews all OPTN contractual requirements for compliance annually, as well as on a periodic basis throughout each year, and

UNOS consistently meets or exceeds its contractual obligations. Specifically, UNOS submits to HRSA results of the cybersecurity penetration testing conducted by a 3rd party on a semi-annual basis. Further, HRSA security audits are conducted annually to ensure the quality and security of the OPTN system. Just today, UNOS received another 100% score on the HRSA Office of Information Technology's Capital Planning and Investment Control (CPIC) dashboard.

With that background, UNOS offers the following selected clarifications to the certain statements contained in the draft USDS report:

- UNOS utilizes an industry best practice, cloud-based approach incorporating both private and public cloud service providers. There are no components hosted on-premises.
- UNOS has maintained an IT system up time of 99.99% (outside of scheduled maintenance) for more than 10 years.
- More than 200 transplant hospitals and OPOs are leveraging UNet system APIs for reporting or querying data, and in the past year alone, the system processed nearly one million API transactions for members, with no additional manual data entry required.
- UNOS shares segments of real code with HRSA as part of both our ongoing application security program and the government's annual audit.
- UNOS has documented version control and the ability to replicate historical matches based on the policies in effect at the time.

We note that this represents only a selection of the statements in the draft report about which we have factual concerns.

Further, we are also concerned that the draft report mischaracterizes what we view as UNOS' productive, cooperative relationship with HRSA and ignores HRSA's above-referenced robust audit and oversight functions. As you know, the relationship described in the USDS report bears no resemblance to the working partnership we have with the HRSA team, a partnership that has produced positive results for patients since its inception.

You already have access to your team's routine annual audit information about the reliable, safe IT system that UNOS operates, but we stand ready to provide any additional briefings or information you request or to host you and/or your team for additional onsite meetings so that you can further understand our systems and processes.

We appreciate your consideration of our concerns about the inaccuracies in the leaked draft report. It is our sincere hope that these assurances, in combination with HRSA's own records, addresses any concerns the draft report may have raised for you. We look forward to continuing our work together on the critical mission of our Nation's transplant system.

Sincerely,

A handwritten signature in cursive script that reads "Jerry McCauley". The signature is written in black ink and is positioned above the printed name and title.

Jerry McCauley, MD, MPH
President, UNOS Board of Directors

CC: Cheryl Dammons, Associate Administrator, HRSA
Adriane Burton, Chief Information Officer, HRSA