

**COMMITTEE ON ANATOMICAL DISSECTION
NEVADA SYSTEM OF HIGHER EDUCATION**

University of Nevada School of Medicine
Savitt Medical Building 124
Jones Conference Room
Reno, Nevada

University of Nevada School of Medicine
Pediatrics Conference Room, Suite 400
2040 W. Charleston Blvd.
Las Vegas, Nevada

10:00 a.m., Friday, June 15, 2007

Members Present: Dr. Robert France
Dr. Weldon Havins
Dr. Terence Ma
Dr. Carol A. Ort
Dr. Roger S. Ritzlin
Dr. Jeff Wachs
Dr. Lawrence Zoller

Members Absent: Dr. Bradford Lee and Mrs. Sharon Shaffer.

Also Present: Ms. Elda Luna, University of Nevada Las Vegas (UNLV) Legal Counsel, Mrs. Joyce King, Committee on Anatomical Dissection Administrator, Dr. Carl Sievert, University of Nevada School of Medicine (UNSOM) Course Director for Gross Anatomy, Ms. Amy Oddo, Medical Education and Research Institute of Nevada (MERIN) and Mr. Troy Farrell, MERIN.

Dr. Lawrence Zoller called the meeting to order at 10:09 a.m. with all members present except Dr. Lee and Mrs. Shaffer.

1. **INTRODUCTION OF COMMITTEE MEMBERS** – Dr. Zoller thanked everyone for attending the meeting. Dr. Zoller introduced Dr. Carol A. Ort, as the member appointed by the President of the University of Nevada, Reno, from the faculty of the University of Nevada, Reno, Dr. Robert France, member appointed by the Nevada Dental Association, and Ms. Elda Luna, University of Nevada Las Vegas. Ms. Luna was assigned to provide legal counsel to the committee.

Mrs. King advised Dr. Zoller that Dr. Bradford Lee, State Health Officer, retired from his position effective June 30, 2007. A search to fill his position is in progress and it should be completed by January 2008 at which time Mrs. King will request the appointment of a new committee member to represent the State Health Office.

2. **ELECTION OF COMMITTEE SECRETARY** – Dr. Zoller called for nominations for the position of committee secretary pursuant to Nevada Revised Statute 451.360 (2) (b).

Dr. Zoller commended Dr. Ma for a wonderful job as committee secretary during the past year. Dr. Zoller then asked Dr. Ma if he would like to continue in this position. Dr. Ma replied that he would be pleased to continue if that is the will of the committee. Dr. Zoller called for nominations for the position of secretary; none were received.

Dr. Ort moved approval of Dr. Terence Ma as secretary of the Committee on Anatomical Dissection. Dr. Havins seconded. Motion carried.

3. **APPROVED MINUTES** – Dr. Zoller thanked Mrs. King and Dr. Ma for doing a “yeoman’s job” on the minutes and asked for comments or corrections from the members. Dr. Ort commented that since she was new to the committee she found the minutes very thorough and helpful noting that they provided good background information about the committee.

Dr. Havins moved approval of the minutes of the October 25, 2006 meeting. Dr. Ort seconded. Motion carried.

4. **ADOPTION OF THE 2007-08 BUDGET** – Dr. Zoller reviewed reference item 4, the 2007-08 CAD budget. Dr. Ort expressed concern about the budget noting it represented the expense side of the budget and omitted any income. Dr. Zoller referred to agenda item 5 which addresses future funding sources for the CAD and commented that the CAD has a limited income which is one of our problems. Dr. Ma agreed with Dr. Ort’s concerns and suggested that the approval of the 2007/08 CAD budget be tabled until after the discussion of agenda item 5, future funding sources.

Dr. Ma moved to table agenda item 4. Dr. Ort seconded. Motion carried.

5. **CONSIDERATION OF FUTURE FUNDING SOURCES FOR THE ANNUAL CAD BUDGET** - Dr. Zoller expressed his concern that income is not sufficient to cover expenses. Up until now the only income source that we have even postulated has been to charge a certain amount per unclaimed body as income. Mrs. King reported that to her knowledge the only income source for the CAD is the fee of \$250 received from MERIN for each unclaimed body they accept which was approximately \$2000 FY 2006/07. Mrs. Oddo confirmed that MERIN sent a total of \$2250 to the CAD for unclaimed bodies used for medical education and research in 2006.

Dr. Ort asked Mrs. King how much of her time is spent on the donor program; Mrs. King replied about 80 percent. Dr. Ort then commented that if we didn’t have a piece of Mrs. King’s salary then only operating expenses and travel expenses would be the expenses of this committee; however, we still don’t have enough money for those expenses. Dr. Zoller concurred with Dr. Ort; Dr. Ritzlin asked for clarification of how much of the \$61,730 salary expense requested is actually for the committee responsibilities and how much is for NSHE. This information is necessary in order to approve a budget.

Mrs. King responded that according to her current PDQ the job description specified 70 percent administration of Committee on Anatomical Dissection; which includes the

Anatomical Donation Program at UNSOM; and the remaining 30 percent would be maintaining fiscal records of the CAD and the Anatomical Donation Program.

Dr. Zoller asked Mrs. King how much of her time is committed to the CAD and what that encompasses. Mrs. King replied her primary job responsibilities to the CAD were coordinating the CAD board meetings and preparing the minutes which occurs twice a year; assisting the chairman and secretary throughout the year, making travel arrangements as needed, fiscal responsibilities, and other jobs as required. She estimated that she worked on average 15 percent on CAD issues on an annual basis.

Dr. Zoller stated that although the Dean of the UNSOM has provided some funds for 2006/07 in order for the continuation of this committee we must secure other revenue sources. Dr. Ma commented that since MERIN and Touro are the largest consumers of cadavers in the state he believes that they would not be opposed to directing a small sum of money toward this committee and further that this type of model is used in a number of places around the country. Dr. Ma suggested that CAD sub-committee review and address existing models in greater details.

Dr. Ma directed two questions to Ms. Luna, legal counsel: 1) what is the authority of this committee to set fees; i.e., can this committee set fees outside of unclaimed cadavers? Ms. Luna replied: I don't think there is any authority in the statute for that, I will need to look closely since we do not have any other interpretation of this in terms of case law or the attorney general's opinion. I have reviewed statute history to get an understanding; I believe there is no authority. Dr. Ma further asked Ms. Luna whether the committee has the authority to accept financial donations from institutions. Ms. Luna replied that to the best of her knowledge receiving financial donations was never addressed.

Dr. Zoller stated that our immediate need is to discuss future funding sources for the committee and how to deal with this budget right now. Dr. Zoller asked Ms. Luna if it was possible to table this agenda item and/or continue discussions in the next few months without having a formal meeting. Ms. Luna replied that the Open Meeting Law would normally require the item to be tabled until the next meeting; however there may be an exception and she will look into this matter and get back to him.

Dr. Ma suggested that members approach their various organizations and discuss whether those organizations would be willing to contribute funds for the CAD budget for 2007/08 with the understanding that over this fiscal year the committee will develop a sound fiscal plan prior to the next legislative session.

Dr. Wachs requested that the CAD sub-committee deal with the legislative and financial issues. Dr. Zoller noted Dr. Wach's recommendation and explained that since the sub-committee was established at the October 25, 2006 meeting the chair resigned from the committee and recommended that a new sub-committee be appointed.

At this time Dr. Zoller stated that closure of the budget was necessary. Dr. Ort suggested one possibility for the budget would be to approve a certain level of expenditure for the

coming year. She recommended approval of funds for travel and operating expenses so Mrs. King could continue her administrative duties for the committee, noting that there was not enough income to meeting those expenses. Dr. Ort recommends approval an annual budget in the amount of \$10,000 for operating and travel expenses. Dr. Zoller concurred.

Ms. Luna stated that the committee chair may schedule an executive session at which time the meeting could be a closed session if we resolve just the expense portion today.

Dr. Wachs commented that he is not comfortable approving a budget for more than our estimated income of \$2250 from unclaimed bodies. Dr. Zoller suggested approving the budget at a minimum amount then meet with administration to discuss income and expense issues at a future date.

Dr. Wachs moved to approve a budget in the amount of \$2250 for operating expenses and further recommended the chairman charge the sub-committee to discuss possible income sources after which the budget could be revised. Dr. Ritzlin seconded the motion.

Further discussion resulted in the committee debating whether the best action plan was not to approve a budget at this time and approach NHSE administration for funding explaining the operating costs versus income source and that without their financial assistance there will not be a functioning committee.

Dr. Ort suggested approval of a budget predicated on receiving support from those entities we are going to approach for money with the understanding that as with all budgets you cannot spend more than you have received, but plan on the expectation that we should be able get support from those agencies that we work with. Dr. Wachs asked if there was a figure other than the one he proposed that everyone would be comfortable with if we were to predicate it by receiving monies from others. Dr. Ort replied that she would estimate a figure at about 10 percent of the listed salary which would be in the \$10,000 – 15,000 range for an annual budget. That would be the amount we would need to support a portion of Mrs. King's salary and operating expenses based upon 2006/07 expenses for operating and travel.

Dr. Wachs moved to modify the existing motion to increase the budget to \$15,000 predicated that the committee finds financial resources to support it and also for the sub-committee to determine which state agencies should be approached for those resources. Dr. Ort seconded.

Ms. Luna commented that this motion is in line with the statute because the committee is charged with preparing and adopting a budget every year; even though it's conditional she concurs this action is better than not adopting a budget.

Motion carried. Dr. Havins abstained.

6. **CONSIDERATION OF RECRUITMENT EFFORTS FOR ANATOMICAL DONATIONS** – Mrs. King reported that this was an agenda item carried forward from the October 25, 2006 meeting for the committee to discuss and propose ideas to improve statewide whole body donation programs. However, it appears that all whole body donation programs within the state may not be within the scope of authority of the Committee on Anatomical Dissection therefore the issue is a moot point. All members were in agreement. Agenda item was withdrawn.

7. **APPROVED CAD SUB-COMMITTEE** – Dr. Zoller explained that at the October 25, 2006 meeting he appointed a sub-committee to address legislative issues as well as many of the issues discussed at this meeting and subsequent to that meeting Dr. Trudy Larson, chair of the sub-committee resigned and the committee never met. Dr. Zoller asked for suggestions from members as to what they saw the charge of the sub-committee to be. Dr. Wach's commented that it was his understanding the sub-committee was formed in order for the CAD to have an ongoing working process that did not violate the Open Meeting laws. Dr. Ma stated his understanding was that the sub-committee would openly discuss issues of concern and report back to the committee as a whole. Dr. Ritzlin noted the importance of non-committee members serving on the sub-committee due to their strong interest in legislative and operational issues.

Dr. Zoller asked Dr. Ort if she would chair the sub-committee. Dr. Ort asked if there were any other members interested in the position of chair of the sub-committee. No other members volunteered to serve as chair of the sub-committee at this time. Dr. Zoller called for a motion to re-establish the sub-committee.

Dr. Wachs moved approval to re-establish the sub-committee and approval of Dr. Ort as chair of the sub-committee, further that Dr. Ort may appoint members to the sub-committee, and that membership may not exceed 50 percent of total CAD committee membership. Dr. Havins seconded. Motion carried.

Dr. Ort accepted the position of chair of the sub-committee. Dr. Ort proceeded to asked Dr. Ma, Mrs. Oddo and Dr. Sievert to serve on the sub-committee; all replied yes. Mrs. King reported that Mrs. Shaffer volunteered to serve on the sub-committee at the October 25, 2006 meeting and may still be interested in serving. Dr. Ort requested Mrs. King to contact Mrs. Shaffer regarding her willingness to serve. Dr. Ort asked Dr. Zoller for the official the charge of the sub-committter. Mrs. King referred Dr. Ort to the October 25, 2006 minutes for ideas that were suggested at that time. Dr. Ort read the issues as follows and asked there were any changes or suggestions:

- 1) Placement of the Committee within the State structure;
- 2) Clarification and/or development of proposed legislation regarding the Committee's jurisdiction and authority relative to the use of donated and unclaimed bodies for medical education and research;
- 3) Penalties for unauthorized used of bodies and enforcement authority to impose penalties;
- 4) Extension of the term for the Chair and Secretary.

Dr Ort suggested the adding a review of the financial organization of the CAD to this list; Dr. Zoller concurred.

Mrs. King noted that at the October 25, 2006 meeting Dr. Zoller further recommended that the sub-committee's scope of responsibility be broad-based; i.e., to review the entire statute and report back to the full committee with possible amendments or revisions as the sub-committee deemed appropriate.

Dr. Zoller asked Ms. Luna if he would be able to serve on the committee and consult with the sub-committee during the year without violating the Open Meeting law. Ms. Luna responded, yes that would be permitted. Therefore, Dr. Zoller was appointed to the Sub-committee.

8. **APPROVED 2007 MEETING DATE** – Dr. Zoller suggested the next CAD meeting tentatively be scheduled on Wednesday, November 7, 2007 at 9:00 a.m. Dr. Zoller asked all members to check their calendars and hold this date for the meeting. Mrs. King will arrange for video conference sites in Reno and Las Vegas.

9. **REVISED ANATOMICAL GIFT ACT** - Dr. Ma reported that there were two issues were of great concern to him and to Touro in the original draft bill. First, if a person indicated that their intent was body donation, without specifically noting an organization, and then only a specific organ could be taken and used only for transplantation or therapy. The second issue of concern to him was regarding the Nevada revision which stated that everyone had to comply with all donor registry laws, which implied both State and Federal donor registry laws. He testified before the Senate committee, Assembly committee, and also testified by video for the second Assembly committee meeting. All these issues were positively addressed by the legislature with the help of Senator Terry Care, the National Donor Network, and the National Commission of Commissioners on Uniform State Laws (NCCUSL). He was pleased to report that the body donor wording was moved into a separate section so that it would be allowed after transplantation and therapy and if the cadaver was usable, and the donor intended to be a body donor, the cadaver would be available for education and research, which was approved. Furthermore, with the cooperation and help of NCCUSL they took the section regarding donor registries and indicated that it did not apply to whole body donor registries.

Dr. Ort asked Dr. Ma if there were any other changes that affected whole body donations. Dr. Ma replied that there were some minor issues that were interpreted. Senator Terry Care's staff re-drafted the legislation to include his original comment regarding body donation and they were more generous in their amendment than he originally proposed.

Dr. Ort asked for clarification of the legislation intent: If a person indicated that they wished to be an organ donor, and subsequently were found to be unsuitable as an organ donor, would that body now become available as a whole body donation? Dr. Ma replied no; if they indicated they were an organ donor, they remain an organ donor, not a whole body donor.

Dr. Sievert asked Dr. Ma if there would be problems complying with the Donor Registry Laws. Dr. Ma replied that there are three issues of concern: the individuals who run the registry must follow the Federal regulations and get Federal certification and there is no mechanism in place to do that. It would also require those individuals to have access to DMV records, or have the DMV send them information and there is no mechanism or funding to do this right now. Finally, there would have to be some way for the DMV to put whole body donation as an option on driver's license. Dr. Ma stated that he is in favor of this, but there is no money for it and this is not the intent of the legislation. These are issues that need to be addressed in future legislation.

Dr. Zoller thanked Dr. Ma for his very informative report.

10. **MERIN UNCLAIMED BODIES REPORT** – Mrs. Oddo reported that the 3rd quarter of 2006 MERIN accepted five (5) unclaimed bodies; the 4th quarter of 2006 four (4) unclaimed were accepted and representative funds have been paid to the committee. The 1st quarter of 2007 she reported zero unclaimed bodies accepted. Dr. Ort asked Mrs. Oddo how many unclaimed bodies MERIN was notified of during that time period; Mrs. Oddo responded that they were noticed of approximately 24 unclaimed; of those 24 many had positive serology tests; next-of-kin were located for some; and others were Veterans. Mrs. Oddo noted that serology tests are done to detect Hepatitis B and C and HIV.
11. **PUBLIC COMMENT** – None.
12. **NEW BUSINESS** – Dr. Zoller asked for suggestions for agenda items from committee members for consideration at the November 7, 2007 CAD meeting. Dr. Ort requested that a report from the sub-committee be on the agenda.

Dr. Havins moved to adjourn the meeting. Dr. Wachs seconded. Motion carried.

Meeting adjourned at 11:30 a.m.

Respectfully submitted by:

Joyce A. King, Administrator
Committee on Anatomical Dissection