

## NATIONAL MARROW DONOR PROGRAM BOARD OF DIRECTORS

### RULES AND REQUIREMENTS FOR PUBLIC SESSION AND PROCESS FOR SUBMISSION OF WRITTEN COMMENTS

#### BACKGROUND

As required by National Marrow Donor Program's (NMDP) contract with the Health Resources and Services Administration (HRSA) of the U.S. Department of Health and Human Services (HHS), a "portion of at least one NMDP Board of Directors meeting per year shall be open to the general public and, for those unable to attend the meeting in person, there shall be a process for the public to submit written comments to the Board." The contract further requires that NMDP must give the public reasonable advance notice of this session.

#### **RULES and REQUIREMENTS**

##### **A. Public Session**

1. Scheduling. The required public session will take place during the Board's Annual meeting, unless the Board Chair, in consultation with the Chief Executive Officer, determines that the public session should occur during another regularly scheduled meeting of the Board. Rescheduling of the public session in this manner may not alter and does not affect the requirement that the public session occur at least once per year.
2. Notice. NMDP will provide reasonable advance notice of the public session by posting the location, date, and time (including both time of commencement and time of adjournment) of the public session on NMDP's public-facing website. Whenever possible, the posting will include information regarding (or an internet link to) registration requirements, along with rules of conduct, for the public session.
3. Registration. In order to assure adequate resources and staff time to plan and accommodate for the effective and efficient conduct of the public session, NMDP may require that members of the public wishing to present to the Board during, or to otherwise participate in, the public session register in advance of the meeting. Required registration information will include, but is not necessarily limited to, the registrant's full legal name, address, phone number, any organization(s) the registrant represents, and a description of

presentation topic. NMDP may establish a deadline for registration, which deadline shall end no earlier than twenty-four (24) hours prior to the posted time for the commencement of the public session. Individuals failing to timely register in advance will not be allowed to participate in the public session unless the Board Chair, in his/her discretion, and in consultation with the Chief Executive Officer, grants the individual leave to participate. The public session may be removed from the agenda if no timely registrations are received.

4. Public Participation at the Public Session. An individual must be in attendance at the commencement of the public session in order to gain entrance. The Board Chair may, at his/her sole discretion, establish a time limit for each participant's spoken comments, which will be announced to participants at the beginning of the public session. The time limit for individual speakers shall be uniform for all speakers and will be strictly enforced. Speakers may not grant another speaker additional time or transfer unused time to another speaker. Speakers must be recognized by Board Chair prior to speaking. In the event that there are more speakers than the time allotted for the public session allows, the Board chair may use a lottery system to determine which speakers may speak. Individuals present and wishing to speak, but unable to do so because of time, shall be given the opportunity to provide written comments within ten (10) days of the meeting (to be sent to the address identified in Section B), which shall be transmitted by NMDP staff to each Voting Director of the Board. Individuals participating in the public session must introduce themselves and identify any organization(s) the individual represents. No photography or audio or video recording of the public session is allowed. No handouts, materials, or visual aids of any kind (electronic or otherwise) shall be allowed, unless expressly permitted at the Board Chair's sole discretion.
5. Board Member Participation at the Public Session. Board members are not deemed members of the public for the purposes of presenting or otherwise participating in the public session. Board members wishing to ask/answer questions, engage in discussion, or otherwise speak to public comments must first be recognized by the Board Chair. Board Members may direct such questions to members of the public only to obtain clarification of material presented. Questions may not be argumentative, nor may they have the purpose or effect of unreasonably extending any time limit applicable to public speakers.
6. Authority of Board Chair. The Board Chair retains, and may exercise at his/her discretion, the authority to declare non-germane or argumentative

comments out of order, adjourn the public session or meeting, and/or take any other steps as may be appropriate to ensure proper decorum and a productive session.

## **B. Process for Submission of Written Comments**

Members of the general public may submit written comments to the Board of Directors, pursuant to the following process:

1. Written comments may be submitted by mail to:

National Marrow Donor Program Board of Directors  
c/o Chief Executive Officer  
500 North 5<sup>th</sup> Street  
Minneapolis, Minnesota 55401

Or by e-mail to:

[BoardOfDirectors@nmdp.org](mailto:BoardOfDirectors@nmdp.org)

2. NMDP staff shall receive all written comments and transmit copies of the same to the Board Chair within three (3) business days of receipt.
3. The Board Chair in his/her discretion, and in consultation with the Chief Executive Officer, shall determine whether, and how, to distribute the written comments to the full Board, the Executive Committee (and/or other committee of the Board), or to some other subset of the Board.
4. The Board, the Board Chair, and/or the Chief Executive Officer of the NMDP are not required to respond to a submitted comment. However, in his/her sole discretion, the Board Chair may elect to respond, or instruct another individual, committee, or subset of the Board to provide a response, to the individual who submitted the comment. The method and timeframe for such a response, if any, shall be at the Board Chair's discretion, in consultation with the Chief Executive Officer.