

**Cancer Systemic Therapy Policy Committee
Appeals Process
Public Document
November 2007**

An appeals process is a fundamental component of a procedurally fair process. As part of its commitment to its many stakeholders including the public, the Cancer Systemic Therapy Policy Committee has developed an appeals process which is consistent with the Committee's established process values: inclusiveness, collaboration, accountability, transparency, consistency and procedural fairness.

Who can appeal the decision of the Deputy Minister?

The decision can be appealed by any member of the public excluding members of the Cancer Systemic Therapy Policy Committee (CSTPC), the Deputy Minister of Health and the Minister of Health. Representations on behalf of the pharmaceutical industry will not be considered an appeal for the purposes of this appeal process.

On what basis can an appeal be made?

An appeal is based on one or more of the following claims:

1. The availability of relevant clinical evidence not available when the drug therapy was reviewed
2. A significant, sustained reduction in the cost of the drug therapy
3. A specific, significant error(s) in the use of the Committee's decision making process.

How does one initiate an appeal?

The CSTPC Appeal Form must be completed in full and submitted to the Deputy Minister (DM) of Health. The DM refers it directly to the Chair of the Appeals Panel.

The Appellant must specify the precise basis(es) on which the appeal is being made, i.e., one or more of the three claims outlined above.

Sources of information exist on the Department of Health website and may be helpful when submitting an appeal: http://www.gov.ns.ca/health/cancer_drugs/default.htm.

Who hears the Appeal?

Appeals are heard by an Appeals Panel appointed by the Minister of Health for two year renewable terms. The Panel consists of three members with collective expertise in the analysis of: scientific and clinical evidence, health economics and procedurally fair processes. Panel members are not selected from the current membership of the CSTPC.

What recommendations can be made by the Panel?

The Appeals Panel summarizes its deliberations and findings in writing and either recommends upholding the decision of the DM regarding cancer drug funding OR recommends that the cancer drug be formally resubmitted to the CSTPC (through the Committee's Chair) for a full re-review using its comprehensive decision making framework.

How are the recommendations of the Appeals Panel communicated?

The recommendation of the Appeals Panel is communicated directly to the CSTPC Chair and the DM of Health. A summarized report is sent to the Appellant and is also posted on the DoH website.

How long will this process take?

Appeals should be finalized within 45 days of receipt of an appeal. The DM will be notified if this timeline is not achievable due to complexity of the appeal.