



pan-Canadian Oncology Drug Review Expert Review Committee

Terms of Reference

1.0 Mandate

The pan-Canadian Oncology Drug Review (pCODR) Expert Review Committee (pERC) is a Canada's Drug Agency (herein referred to as "the organization") committee comprising of individuals from across Canada with expertise in cancer drug therapy, drug evaluation, and drug utilization, as well as patient members.

As part of the organization's Reimbursement Review process, pERC makes reimbursement recommendations for oncology pharmaceuticals to the participating federal, provincial, and territorial publicly funded drug programs. It also makes recommendations related to the identification, evaluation, and promotion of optimal drug prescribing and use in Canada.

pERC's approach is evidence-based, and its advice reflects medical and scientific knowledge, current clinical practice, economics, ethical considerations, and patient and public impact.

2.0 Roles and Responsibilities

The responsibilities of pERC (herein referred to as "the committee") include:

- using the organization's reviews and input from contributing parties (patient representatives, clinical experts, and pharmaceutical manufacturers) to develop recommendations as to whether pharmaceutical products used to treat cancer should be reimbursed and the conditions for reimbursement
- using the organization's reviews and input from contributing parties (patient representatives, clinical experts, and pharmaceutical manufacturers) to develop recommendations as to what reimbursement or other policies would promote the optimal use of pharmaceutical products used to treat cancer in Canada
- providing guidance to the organization and participating federal, provincial, and territorial ministries of health, as requested, on other issues related to reimbursement and the optimal use of pharmaceuticals used to treat cancer.

The committee may be directed to form subcommittees and/or task groups to fulfill its mandate.

3.0 Authority

The committee shall report to the President and CEO through its Chair.



4.0 Membership

The committee is composed of 17 members, as follows:

- 1 Chair
- 3 patient representatives
- 1 ethicist
- 12 expert members who hold qualifications as physicians, pharmacists, health economists, or other professional health designations and have expertise and experience in 1 or more of the following areas: health technology assessment; health economics; health policy or administration; pharmacy; clinical pharmacology; epidemiology; general medical practice; internal medicine; hematology; and medical, surgical, or radiation oncology.

One member will be identified to serve in the role of Vice-Chair.

4.1 Appointment Process

The members shall be identified through a public call for nominations. Members shall be appointed by the President and CEO.

4.2 Removal

Notwithstanding anything set out in these terms of reference, the President and CEO shall have the right to remove and/or replace a committee member at or before the expiry date of their term.

4.3 Resignation

A committee member may resign from office by providing the Chair and the President and CEO with a written resignation; such resignation becomes effective when received by the organization, at the time specified in the resignation, or at a mutually agreed-upon time.

5.0 Term of Appointment

Ordinarily, committee members shall be appointed for a 3-year term. In exceptional circumstances, the term length can be 1 or 2 years. The term may be renewed once at the discretion of the President and CEO.

Any committee member who has served 2 consecutive 3-year terms of office shall not normally be eligible for reappointment to the committee until a period of at least 3 years has elapsed since the end of that committee member's second consecutive term in office.

The President and CEO may appoint a committee member who has served 2 consecutive 3-year terms of office for an additional term for the purpose of that committee member serving as an officer or if an additional term is in the best interest of the organization.

For the purposes of succeeding to the role of Chair, a committee member may be appointed for an additional term(s) in accordance with section 6.2.



6.0 Officers

The officers of the committee are the Chair and Vice-Chair.

6.1 Appointment Process

The President and CEO shall appoint 1 committee member to serve as Chair and 1 committee member to serve as Vice-Chair of the committee.

6.2 Term of Office

6.2.1 Chair

The Chair shall ordinarily hold office for a term of 3 years from the date of their appointment as Chair, irrespective of years served as a member.

The President and CEO may appoint the Chair for an additional term if an additional term is in the best interest of the organization.

The Chair shall not be eligible for appointment to the committee as a member until a period of at least 3 years has elapsed since the end of their term of office.

6.2.2 Vice-Chair

The Vice-Chair shall ordinarily hold office for a term of 1 year from the date of their appointment as Vice-Chair, irrespective of years served as a member.

The President and CEO may appoint the Vice-Chair for an additional term if an additional term is in the best interest of the organization.

6.3 Powers and Duties

The Chair shall, when present, preside at all meetings of the committee. The Chair shall act as the committee spokesperson when directed to do so by the President and CEO. Per sections 7.3 and 13.0, the Chair shall participate in the development of meeting agendas and report on committee activities to the Board of Directors.

The Vice-Chair shall, in the absence of the Chair, perform the duties and exercise the powers of the Chair.

7.0 Meetings

The committee will typically meet on a monthly basis, on a prespecified day(s). Under exceptional circumstances, additional meetings may be called by the organization.



7.1 Attendance

Members shall make best efforts to attend all meetings of the committee. Alternates are not permitted to attend in place of a committee member. Attendees who are participating virtually are encouraged to have their cameras on for the duration of the meeting.

7.2 Quorum

A majority (50% plus 1) of incumbent members of the committee shall constitute quorum.

7.3 Agenda

Meeting agendas are prepared by the organization in consultation with the committee Chair.

7.4 Decision-Making

Decisions of the committee shall be made by a majority vote of the members in attendance.

Each committee member is entitled to 1 vote. The Chair of the meeting shall not vote except in the event of a tie, in which case the Chair of the meeting may exercise a vote. All committee members must support the decisions of the committee.

7.4.1 Abstaining

Although full participation of members is in the best interest of the work undertaken by the committee and the organization, in some cases members may abstain from voting. If a committee member is not present for the majority of the discussion on the motion being passed, or if the member has a conflict of interest, the member will abstain from voting.

When a committee member abstains, their vote is not counted, and the decision is made by the majority of remaining voting members.

7.5 Minutes

The organization's staff keep a written record of meetings of the committee. A copy of the minutes will be provided to each member of the committee.

7.6 Attendees

In addition to committee members, observers, and guests invited in accordance with section 7.7, the following persons are invited to attend committee meetings:

- members of the Pharmaceutical Advisory Committee (PAC) and Provincial Advisory Group (PAG)
- members of participating drug plans and cancer agencies
- members of the pan-Canadian Pharmaceutical Alliance (pCPA)
- clinical experts (as subsequently noted)
- patients and patient representatives (as subsequently noted)
- staff of the organization (as subsequently noted).



PAC and PAG members appointed by provincial and territorial ministries of health and provincial cancer agencies shall be entitled to attend. At each meeting, the PAG Chair (or their delegate from among the PAG members) will be given the opportunity to provide the perspective of PAG on submission(s) for consideration by the committee. PAC and PAG members shall not have the right to participate in committee deliberations or to vote (i.e., beyond the steps of information gathering and clarification).

Clinical experts may be invited to attend committee meetings to provide their expertise, as required. Clinical experts are thought leaders and may be drawn from a variety of fields, such as clinical settings, methodology, and health economics, for example. These clinical experts will have experience relevant to the use of the particular drug or class of drugs, or blood product or treatment, of an identified condition. The number of clinical experts will be determined based on the project.

Patient representatives and/or patients with lived experience may be invited by the organization to attend meetings to provide their perspective, as required. The number of individuals invited will be determined based on the project.

The organization's staff attending the meeting shall serve as a resource to the committee. The staff may actively participate in the presentation of information, Requests for Advice, submissions, resubmissions, and Reconsiderations of an Initial Recommendation at the request of the committee Chair. The staff shall also assist in obtaining additional information and/or expert advice at the committee's request.

7.7 Observers and Guests

The organization, in consultation with the Chair, may invite observer(s) and guest(s) to attend committee meetings. To maintain the confidentiality of committee discussions and information, invited observers and guests are required to sign a nondisclosure agreement before attending a committee meeting.

Observers typically represent external organizations, partners, or collaborators who have an interest in the committee's work. The role of an observer is limited to attending meetings to observe the proceedings. Observers are not permitted to actively participate in committee discussions or decision-making processes.

Guests are individuals who are invited to provide expertise or perspectives on a particular committee agenda item. Guests may participate in discussions related to their area of expertise, but do not hold a continuous role on the committee. Guests do not participate in committee decision-making processes.

The committee shall have the right to exclude observers and guests from any meeting held in camera, either in whole or in part.

8.0 Code of Conduct

All members of the committee shall comply with the organization's code of conduct.



9.0 Conflict of Interest

All members of the committee shall comply with the organization's conflict of interest policy. Conflicts of interest shall be declared at the start of each meeting.

10.0 Indemnification

Every committee member shall be indemnified and saved harmless by the organization from and against:

- all costs, charges, and expenses that such committee member sustains or incurs in or about any action or suit of proceedings that is brought, commenced, or prosecuted against them, or in respect of any act, deed, matter, or thing whatsoever, made, done, or permitted by them in or about the execution of the duties of such committee members or in respect of any such liability
- all such costs, charges, and expenses that such committee member sustains or incurs in or about in relation to the affairs thereof, except such costs, charges, or expenses as are occasioned by their own wilful neglect or default.

11.0 Confidentiality

It is the responsibility of committee members to know what information is confidential and to obtain clarification from the organization when in doubt. Except as compelled by the applicable legal process, a committee member must, both while having and after ceasing to have that status as a committee member, treat as confidential all information regarding the policies, internal operations, systems, business, or affairs of the committee and of the organization obtained by reason of their status as a committee member and not generally available to the public. A committee member shall not use information obtained as a result of their involvement on the committee for personal benefit. Each committee member shall avoid activities that may create the appearance that they have benefited from confidential information received during the course of their duties as a committee member.

Additional information on confidentiality is reflected in the organization's code of conduct (available on the organization's website).

12.0 Remuneration

Upon appointment, committee members may be eligible to receive remuneration in accordance with the organization's Remuneration of Board and Committee Member Policy. Remuneration will be paid to the individual and is subject to deductions for Canada Pension Plan (CPP) and income taxes.

Expenses incurred in the course of performing duties as a committee member are eligible for reimbursement in accordance with the organization's Travel Policy.



13.0 Reporting

The committee shall make a report to the Board of Directors at least annually through its Chair, by verbal and/or written means.

14.0 Secretariat Support

Secretariat support for the committee shall be provided by the organization's staff.

15.0 Amendments to the Terms of Reference

These terms of reference may be amended at any time at the discretion of the President and CEO.