

# The Second Coming of the NICE Appeal Process?

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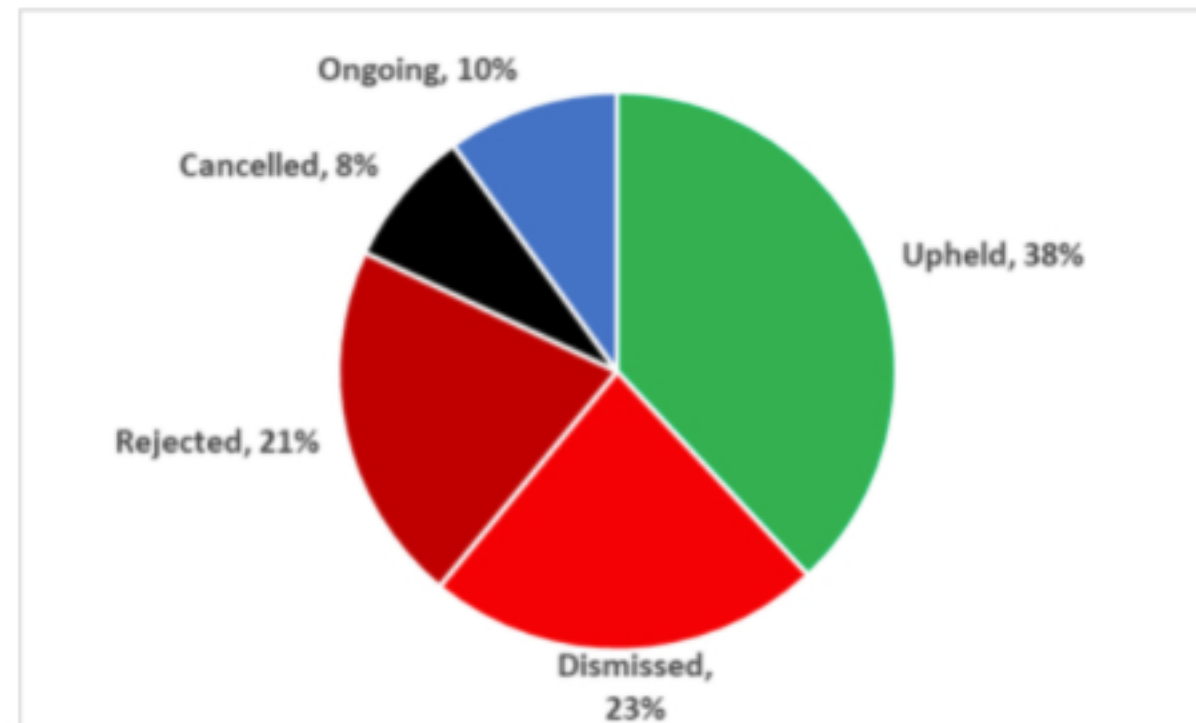
## Background, aims and methods

NICE evaluate the clinical and economic impact of new healthcare technologies to inform public reimbursement recommendations. Consultees can lodge appeals to NICE recommendations within 15 days of final draft guidance. These are subject to scrutiny to see if they fall within the grounds for appeal, and if so, an appeal panel is convened.

This research systematically evaluated NICE technology appraisal appeals, which were identified from [www.nice.org.uk](http://www.nice.org.uk) and key information extracted (to 22-Dec-2020).

## Results (1): 39% of appeals were upheld

Of 39 STA and HST appeals with publicly-available information, 38% were upheld, 23% dismissed, 21% rejected, 8% cancelled, and 10% ongoing

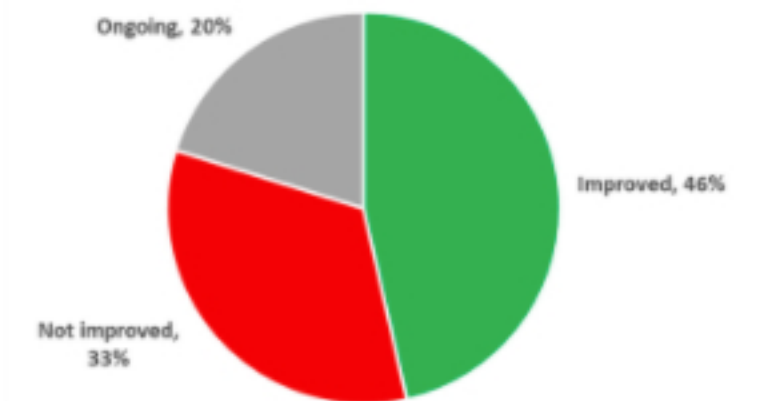


## Conclusions

- **The NICE appeals process has been leveraged by manufacturers and other stakeholders to successfully challenge FAD guidance**
- **Although the number of appeals has notably reduced in recent years, they are being used increasingly in relation to recent novel NICE access pathways (HST and CDF) and this may set a future trend**

## Results (2): 46% of upheld appeals substantially changed NICE outcomes

- Of upheld appeals,
- 46% improved outcomes (not recommended to recommended/optimized),
  - 33% did not, &
  - 20% ongoing



## Results (3): Time-trends and notable CDF and HST appeals

- 19% of STAs before 2013 were subject to an appeal versus 7% of those subsequently published
- Notably, the only two HSTs with “not recommended” Final Appraisal Determinations (FADs) were subject to successful appeals (with new appraisal committee meetings scheduled)
- Similarly, the only post-Cancer Drug Fund (CDF) review with a “not recommended” FAD is also subject to an ongoing appeal