

# DRUG ADVISORY COMMITTEE OF SASKATCHEWAN

## Terms of Reference

The Drug Advisory Committee of Saskatchewan (DACS) provides independent, specialized advice to the Minister of Health on drug-related matters. The committee makes recommendations concerning which drug products should be considered for public funding (through the Saskatchewan Drug Plan, in hospitals via regional health authorities, and by the Saskatchewan Cancer Agency) based on rigorous, evidence-based reviews of the products. The committee is established by Order-In-Council under the authority of section 16 of the *Government Organization Act*.

### 1. MANDATE

The mandate of the DACS is advisory in nature and is to provide:

- a) recommendations regarding the coverage of drug therapies under publicly funded drug programs (through the Drug Plan and the Saskatchewan Cancer Agency) and in hospitals; and
- b) guidance on a variety of other pharmaceutical issues.

### 2. RESPONSIBILITIES

The responsibilities of the DACS are to:

- a) evaluate drug products in terms of therapeutic value, cost-effectiveness, patient impact, and in comparison to accepted therapy;
- b) recommend to the Minister those products that should be considered for publicly funded drug coverage, and the conditions under which such products should be funded;
- c) provide reasons for recommendations made to the Minister;
- d) recommend to the Minister which drug products should be designated as interchangeable products<sup>1</sup>;
- e) monitor and evaluate the drugs listed as publicly funded benefits in Saskatchewan with regard to their continued therapeutic value and cost-effectiveness, as well as drug use patterns, and current scientific knowledge; and
- f) provide advice to the Minister on relevant pharmaceutical and therapeutic issues, drug pricing, drug policy, provincial drug management strategies, and other related topics.

In making its recommendations the DACS will:

- consider the evidence based reviews from the national drug review committee(s),
- consider clinical evidence, pharmacoeconomic analysis, Saskatchewan budget impact analysis, and other expert review information and;
- use the perspective of a healthcare program payer within a publicly funded health care system.

### 3. ACCOUNTABILITY

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<sup>1</sup> The committee will only review those interchangeable products that fall outside the delegated authority of the Executive Director of the Drug Plan and Extended Benefits Branch for interchangeable generic drugs.

The DACS is an expert advisory committee that provides advice to the Minister of Health through the committee's Chairperson and the Ministry of Health.

#### **4. MEMBERSHIP**

##### **4.1. Composition**

The DACS is composed of 14 members, appointed by Minister's Order.

Two of the 14 DACS members are "public members". A "public member" is selected to represent the broad public interest rather than the view of any specific interest, group, or organization. These members bring their real-world perspectives into the evaluation process and are considered as equal committee partners.

The remaining DACS members are health professionals who have sufficient expertise to represent a wide range of specialties, including family medicine, internal medicine, oncology, pharmacology, critical drug appraisal, pharmacoeconomics, health economics, medical ethics, community pharmacy practice, hospital pharmacy practice, and other disciplines.

The committee will be structured so as to ensure a balance of the required expertise.

##### **4.2. Minimum Requirements for Committee Membership**

All DACS members must meet all of the following requirements:

- the member is not employed by any pharmaceutical or related companies
- the member is able and willing to comply with Conflict of Interest and Confidentiality requirements (see Section 10 and 11 below)

DACS public members are required to have some experience or demonstrated interest in issues related to health care, either at the community, regional, or national level, and ideally have some experience in working on committees.

DACS healthcare professional members must also meet the following requirements:

- the member has a professional degree in health economics or in a health discipline from a recognized institution (preferably in medicine, pharmacy, or pharmacology)
- the member should be in active practice and/or research in either the community, hospital, cancer treatment, and/or academic setting

While not a requirement, it is desirable that healthcare professional members have additional formal training from a recognized institution in at least one of the following areas: epidemiology, health economics, a range of medical subspecialties, and other relevant fields.

##### **4.3. Withdrawal from the Committee**

An individual may resign as a member at any time upon written notification to the Chairperson of the DACS and to the Executive Director of the Drug Plan & Extended Benefits Branch, Saskatchewan Ministry of Health.

#### 4.4. Appointment of Members

Members are appointed by the Minister of Health in consultation with the Ministry of Health. Membership is reviewed annually by the Ministry to ensure the necessary mix of expertise is present on the committee. Suggestions for potential new members may be obtained from a variety of sources including the DACS Chairperson, members of the DACS, Ministry staff, the Minister's Office, the Saskatchewan Cancer Agency, and through public advertisements.

#### 4.5. Term of Appointment

Members are appointed for a term of three years. Member terms may be renewed at the discretion of the Minister.

#### 4.6. Chairperson and Vice-Chairperson

The Chairperson is designated by the Minister. The Minister may assign to the Chairperson such functions as are necessary to carry out the terms of reference of the committee.

The Chairperson shall preside at all meetings of the committee. The Chairperson has the authority to exclude committee members from discussions due to conflicts of interest, to recommend the use of a consultant when additional expertise is required, and to state and put to a vote all motions.

The Chairperson may be requested to respond on behalf of the committee to correspondence related to the mandate or recommendations of the committee.

The Vice-Chairperson will be selected from amongst the DACS members by the DACS members, in consultation with the Ministry staff. The Vice-Chairperson may or may not succeed to the position of Chairperson, as this position is appointed by the Minister.

In the absence of the Chairperson the Vice-Chairperson shall carry out the duties of the Chairperson.

#### 4.7. Secretary

The Secretary is appointed by the Ministry, from the Drug Plan and Extended Benefits staff, to provide administrative support to the committee. The Secretary shall not be a member of the committee and will act as liaison between the Ministry and the committee at meetings of the committee. Also, the Secretary shall keep the minutes of

the proceedings of the committee. In the event that the Secretary is absent, an alternate public servant will undertake the duties of the Secretary.

#### 4.8. Senior Consultant

The Senior Consultant is appointed by the Ministry, from the Drug Plan and Extended Benefits staff, to provide scientific support to the committee. The Senior Consultant shall not be a member of the committee. The Senior Consultant shall provide comprehensive information respecting drug product submissions, drug listings, manufacturers, drug interchangeability, provincial and federal regulations as well as act in a research and information capacity. The Senior Consultant shall ensure that the committee receives all appropriate scientific/technical information to support the committee's operations.

### 5. MEETINGS

The functions of the committee may be exercised at a meeting at which a quorum of members is present (see below). When necessary, any committee member may participate in a meeting of the committee by means of teleconference or videoconference. Meetings of the committee may be held in either Saskatoon or Regina and shall be scheduled monthly, unless otherwise indicated.

#### 5.1. Notice of Meetings

Notice of time, place and purpose of a meeting shall be given not less than two weeks before the time when the regular meeting of the committee is to be held. Maximum notice will be given whenever possible. One week prior to each meeting, each member shall receive a copy of the minutes of the previous meeting and the agenda containing items for discussion, together with related background material. Members are responsible for reviewing the meeting package in preparation for each meeting.

#### 5.2. Attendance at Meetings

Committee members must make all efforts to attend meetings. Should a member miss a substantial number of DACS meetings without prior notice and/or good reason the Chairperson will discuss with the Ministry the replacement of the member.

#### 5.3. Quorum

A majority (50% + 1) of the total number of active members constitutes a quorum for normal business. In determining a quorum, the presence of the Chairperson is counted. Meetings will commence provided there are no less than 50% + 1 members present, including the Chairperson. If a quorum does not exist, then no business shall be transacted except to adjourn. If no one objects, debate may continue, but the only vote that may be taken is the one for adjournment.

Where, in the discretion of the Chairperson, the special knowledge of a given committee member or members is required, the Chairperson may defer the discussion of a matter placed before the committee pending the attendance of the member or members.

#### 5.4. Votes

At all meetings, any motion may be decided by a majority of votes cast on the issue. If there is no majority vote, however, the vote of the Chairperson shall govern. Votes may be made by a show of hands, unless circumstances require a ballot. The identity of the voters is not generally recorded. A member may require that his/her opinion and vote be recorded in the minutes. No members may vote on any motion in respect of which he or she may have a conflict of interest as determined by the Chairperson.

#### 5.5. Agenda and Minutes

The Agenda is prepared by the Secretary in consultation with the Senior Consultant, Ministry staff, and the Chairperson.

The minutes of committee are prepared by the Secretary after each meeting with the assistance of the Senior Consultant, Ministry staff, and the Chairperson. Names of the members present shall be entered in the minutes, which shall be approved at a later meeting of the committee, where the minutes may be corrected if necessary.

#### 5.6. Attendees

In addition to the DACS members, Senior Consultant and Secretary, the following persons shall be entitled to attend DACS meetings:

- senior Ministry staff
- external consultants or experts by invitation of the Chairperson (see Section 7 below)
- other individuals at the discretion of the Chairperson and the Ministry

The above noted persons do not have the right to vote on DACS recommendations.

### **6. SUBCOMMITTEES AND AD-HOC COMMITTEES**

The Chairperson may assign members to subcommittees or ad hoc committees as required from time to time, but the function of any subcommittee/ad hoc committee shall be advisory to the committee only.

### **7. CONSULTANTS**

The committee may request that the Ministry seek an opinion from an external consultant or a committee of external consultants to complement the expertise available on the committee. Any opinion from an external consultant to the committee shall be in writing. At the request of the Chair, the external consultant may participate in the DACS meeting.

The committee may review these external opinions and provide any additional comments and recommendations as appropriate.

## **8. HONORARIUM**

DACS members are paid an honorarium in accordance with Saskatchewan Government policies for boards, commissions or committees. These honorariums are not intended as salaries or as compensation for lost income, but rather are meant as token payments to indicate appreciation of public service.

Members are also reimbursed for reasonable expenses related to travel, meals, accommodation and other out-of-pocket expenses in accordance with current Saskatchewan Public Service Commission rates.

## **9. INDEMNIFICATION**

The Minister shall indemnify and save harmless every committee member, their heirs, executors, administrators and other legal personal representatives from and against any and all liabilities, damages, costs including legal costs and expenses that a committee member sustains or incurs as a result of any claims, actions, suits or proceedings that are proposed or commenced against a committee member for or in respect of anything done, omitted to be done or permitted to be done by a committee member in connection with the duties of his/her office. The indemnification does not include liabilities, damages, and any wilful breach of default done in bad faith by a committee member.

## **10. CONFLICT OF INTEREST**

Committee members must declare any real or perceived conflict of interest at the beginning of each meeting. In situations where any real or perceived conflict of interest arises in the course of the committee's work, members must declare their conflict and the Chairperson will determine the extent of the member's participation in committee discussions and/or voting.

## **11. CONFIDENTIALITY**

Committee members will have access to confidential information presented to them in the performance of their duties on the committee. "Confidential Information" means all data and information in oral, written, graphic, recorded or any other form which is disclosed to the member either directly or indirectly by the Ministry or its stakeholders (including drug manufacturers) in connection with the performance by the member of his/her committee duties or which the member may have acquired in the course of, or incidentally to, the performance of his/her duties. All confidential information which comes into the possession of committee members is received by them on behalf of the Ministry and for the sole purpose of enabling the committee to provide advice to the Ministry.

Both during and after the term of a member's appointment to the committee, the member is required to:

- a) Hold in confidence and treat as confidential all confidential information.
- b) Use confidential information only as required to enable the member to perform his or her duties on the committee and not use the confidential information for any other purpose without receiving prior written authorization from the Ministry.
- c) Not request or seek to obtain any confidential information, except to the extent that the member requires such confidential information to perform his or her duties.
- d) Not disclose, directly or indirectly, to any person, entity, or organization (including, if applicable, the member's organization and persons who work within the member's organization) any confidential information without receiving prior written authorization from the Ministry. In the event that the member is required to disclose confidential information under law, the member shall, prior to such disclosure and to the extent possible, consult the Ministry as to the proposed form and nature of the disclosure.
- e) Take all reasonable precautions to protect the confidential information from theft, loss and any other unauthorized access, use or disclosure (e.g. ensuring that all confidential information is stored securely; ensuring that all files or file cabinets containing confidential information are locked when not under the member's personal supervision and maintaining personal custody of all keys or combinations; safeguarding any computer passwords; etc.).
- f) Notify the Secretary in writing at the first reasonable opportunity if confidential information is stolen, lost or accessed by unauthorized persons; and
- g) Upon the termination of the member's appointment to the committee, destroy or return to the Secretary all materials containing confidential information in whatever media or form and not make or retain any copies of the confidential information; and
- h) Act at all times in accordance with the requirements of the *Health Information Protection Act*, the *Freedom of Information and Protection of Privacy Act*, and Ministry policies.

The member may allow an assistant (i.e. a person who provides clerical support to the member to assist the member in performing his or her duties) to have access to confidential information provided that such access by the assistant is reasonably necessary to enable the member to carry out his or her duties. The member must take reasonable measures to ensure that the assistant is apprised of and observes the confidentiality requirements described above.