

The Royal College of Physicians
11 St Andrews Place
Regent's Park
London
NW1 4LE

Friday 24th August 2007
Sent by email

Dear [REDACTED]

Final Appraisal Determination: Pemetrexed for the treatment of malignant pleural mesothelioma

Thank you for lodging the Royal College of Physicians' appeal against the above Final Appraisal Determination (FAD).

Introduction

The Institute's appeal procedures provide for an initial scrutiny of points that an appellant wishes to raise, to confirm that they are at least arguably within the permitted grounds of appeal. The permitted grounds of appeal are:

- Ground 1: The Institute has failed to act fairly and in accordance with its published procedures as set out in the Institute's Guide to the Technology Appraisal Process.
- Ground 2: The Institute has prepared guidance which is perverse in the light of the evidence submitted.
- Ground 3: The Institute has exceeded its powers.

This letter sets out my initial view of the points of appeal you have raised: principally whether they fall within any of the grounds of appeal, or whether further clarification is required of any point. Only if I am satisfied that your points contain the necessary information and arguably fall within any one of the grounds will your appeal be referred to the Appeal Panel.

You have the opportunity to comment on this letter in order to elaborate on or clarify any of the points raised before I make my final decision as to whether each appeal point is referred on to the Appeal Panel.

Preliminary Conclusion

You have raised one point of appeal under Ground 2. I am satisfied that this is a valid appeal point. Should you wish to make any further comments before I recommend this point of appeal to the Appeal Panel, these should be sent to me within three weeks of the date of this letter (COB Friday 14th September 2007).

Yours sincerely

Mark Taylor
Appeals Committee Chair
National Institute for Health and Clinical Excellence