



**National Institute for
Health and Clinical Excellence**

Midcity Place
71 High Holborn
London
WC1V 6NA

Tel: 0845 003 7780
Fax: 0845 003 7784
www.nice.org.uk

The CML Support Group
PO Box 56213
London N4 4WF

By email

29 September 2011

Dear [REDACTED]

Appeal Against Final Appraisal Determination: Dasatinib, high-dose imatinib and nilotinib for the treatment of imatinib-resistant chronic myeloid leukaemia (CML) (part review of NICE technology appraisal guidance 70), and dasatinib and nilotinib for people with CML for whom treatment with imatinib has failed because of intolerance

Thank you for your letter of 21 September.

Appeal point 2.2

I am afraid I cannot accept that it is arguable that Professor Appleby's evidence could represent such a universal consensus that the committee must be in error in not having accepted it. Nor can I agree that the choices are either to accept her opinion, or to doubt her integrity. Honest disagreement is also possible. I am sure Professor Appleby is very distinguished, but an appeal panel is simply not charged with deciding between the opinion of an expert giving evidence to the committee, and the opinion of the committee. Only where the committee's finding is unjustified can it intervene. Additionally, expert opinion is only one input to the committee, which has to take account of a wider range of evidence and considerations. A disagreement without more is not a valid appeal point.

I repeat that you are free to draw attention to Professor Appleby's views as part of your overall case, but I do not agree that this is a valid appeal point on its own.

Conclusion

This is my final decision on initial scrutiny.

Yours sincerely

[REDACTED]

**Appeals Committee Chair
National Institute for Health and Clinical Excellence**