EUROPEAN MEDICINES AGENCY
SCIENCE MEDICINES HEALTH

Compassionate use Programmes in Europe

Role of EMA and member states

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Agenda

- ✓ Regulatory and legal framework of compassionate use in Europe
- ✓ EMA Role in compassionate use opinions
- ✓ Analysis of EMA experience

Regulatory and legal framework (1/4)

- Compassionate use (CU) is a mechanism enabling health care professionals in a European Member State (MS) to **provide access** to **investigational products** to **patients** with **serious or life-threatening conditions** who have **no** satisfactory **alternative treatment options** outside clinical trial setting, i.e. investigational products that have not yet been authorised by regulatory authorities.

- European legal framework foresees two situations of exceptional application of a non-licensed medicinal product to patients.

  - Those applicable for a cohort (group) of patients

  - "Named Patient Use" (also referred to as Named Patient Programme, NPP).

- CU is not a substitute for off-label use or for not conducting clinical trials

- Substantial heterogeneity in EU with regard to requirements for CU programmes

Regulatory and legal framework (2/4)

Directive 2001/83/EC provides the legal basis for Member States to implement national programmes:

- Article 6 - a medicinal product may not be placed on the market of a Member State unless a marketing authorisation has been issued by the competent authorities of that Member State or an authorisation has been granted through a centralized procedure.

- Article 5 - defines an exception to this requirement under defined circumstances [*A Member State may, in **accordance with legislation in force and to fulfil special needs**, exclude from the provisions of this Directive [requirement for a marketing authorisation] medicinal products supplied in response to a bona fide unsolicited order, formulated **in accordance with the specifications of an authorised health-care professional** and for use by an **individual patient** under his direct personal responsibility*]

Regulatory and legal framework (3/4)

Regulation (EC) No 726/2004, specifically Article 83, provides the legal basis for the management of a compassionate use programme at the European level

- Medicinal products **eligible** for the **centralised procedure**
- Medicinal products undergoing clinical trials or subject of an application for a marketing authorisation
- Group of patients (**cohort programme**)
- For chronically or seriously debilitating disease, life threatening disease, unmet medical need

Regulatory and legal framework (4/4)

- Article 83 of Regulation (EC) No 726/2004 introduced legal framework for Member State to ask the CHMP when **compassionate use for group of patients** is envisaged to adopt opinions on the conditions for use, conditions for distribution and the patients targeted

- Article 83 of Regulation (EC) No 726/2004 further states that when a Member State makes use of the possibility for compassionate use for group of patients it shall notify the Agency

Application of compassionate to EMA/CHMP

- National competent authorities send requests for CHMP scientific opinion on compassionate use for investigational product to EMA
  - Rapporteur and Co-Rapporteur appointment and timetable for assessment
  - CHMP/EMA will request applicant to provide data and submit dossier
- CHMP opinion on how to administer, distribute and use certain medicines for compassionate use; Member States should take note of these recommendations when making decisions
- Pharmacovigilance rules and responsibilities (as per Article 28(1) of Regulation 726/2004) are applicable to medicinal products used as part of compassionate use. The Member State(s) ensure that these pharmacovigilance obligations are fulfilled
- Manufacturers and marketing-authorisation applicants should not contact EMA to request an opinion, but they may wish to inform the Agency of applications at national level.

Analysis of experience with CU at EMA

- Since the introduction of Article 83 of Regulation EC No 726/2004 in 2005, the CHMP adopted 5 scientific opinions for Compassionate Use for two conditions (hepatitis C and influenza)
- An analysis of the experience to date for **Compassionate Use intended for group of patients** at EU level demonstrates that few member states appear to follow the requirements to notify the EMA about nationally implemented CUPs
- Of the MS that notify the EMA of CUP, few have made use of the option to request a CHMP Opinion on conditions for use, the conditions for distribution and the patients targeted for CU

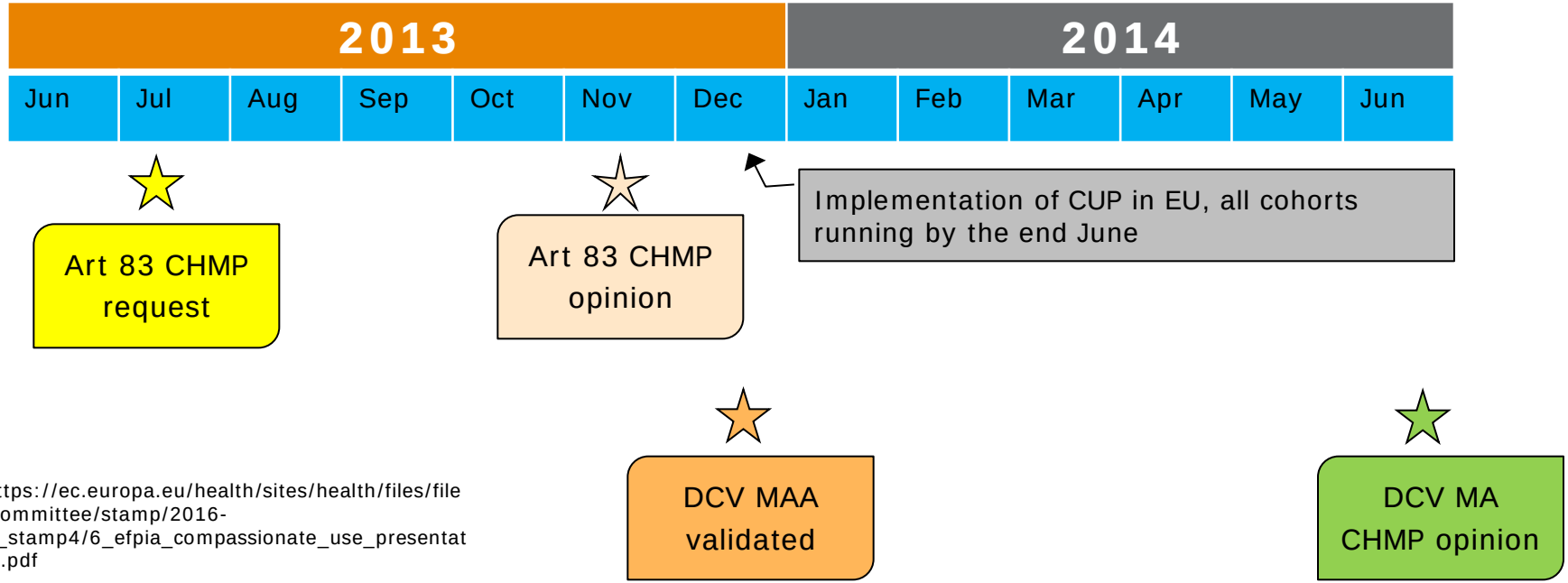
CHMP Scientific Opinions on Compassionate Use to Date

Product	Requesting Country	Year
ledipasvir, sofosbuvir	Ireland	2014
daclatasvir	Sweden	2013
Sofosbuvir	Sweden	2013
Zanamivir	Sweden	2010
Oseltamivir phosphate	Finland	2010

- Publication of compassionate use opinions includes the CHMP's recommendations on how a medicine should be used, and the type of patient who should be eligible
- Not transparent in which countries the CHMP Opinion led to the availability of the product under CU

Timeline of CU Opinion for Daclatasvir*

Art 83 CHMP Opinion Nov 2013



*https://ec.europa.eu/health/sites/health/files/files/committee/stamp/2016-03_stamp4/6_efpia_compassionate_use_presentation.pdf

Way forward

- As part of the Commission expert group on ‘Safe and Timely Access to Medicines for Patients’ (STAMP), experience with CU was discussed to identify ways to optimise the use of existing regulatory tools to further improve safe and timely access of medicines for patients.

Thank you for your attention

Further information

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