

News from the Chairperson

Update on the Board's Review of its Excessive Price Guidelines

The Board is completing the review of its Excessive Price Guidelines. On behalf of my colleagues, I wish to thank all stakeholders who provided feedback on the August 2008 Notice and Comment on the Draft Revised Excessive Price Guidelines. Your input has been of great assistance in helping us shape our decisions.

As part of the feedback, some stakeholders indicated that certain aspects of the draft revised Guidelines were either unclear or required additional discussion. The Board remains committed to providing clarity, transparency and predictability in its price review process. In order to better understand some of the feedback received, the Board met with representatives of the Ontario Public Drug Programs on December 13, 2008, and with representatives of the Canadian Generic Pharmaceutical Association (CGPA) on January 13, 2008. In addition, representatives of the Board and Canada's Research-Based Pharmaceutical Companies (Rx&D) met on December 19, 2008, and on January 29, 2009, as part of an ad-hoc committee to discuss key issues of the innovative pharmaceutical industry.

We are nearing finalization of our review of the feedback on the draft revised Guidelines on which we consulted in August. We have noted that in many areas, stakeholders offered few if any comments and generally signalled the proposed changes represent an improvement to the Guidelines. There are a few areas where stakeholders' comments were more significant and where the Board is now focussing its efforts. We continue to be most appreciative of the contributions of stakeholders to the Guidelines Review and wish to maintain an open dialogue as we look to release a new version of the draft revised Guidelines for final Notice and Comment in March. Following the Board's review and consideration of stakeholder feedback, the final text of the revised Guidelines is planned for release around the end of May, with implementation expected on July 1, 2009.

In August 2008, the Board also released a Communiqué on the plans to enforce mandatory reporting by patentees of all benefits as part of net prices or net revenue. The Federal Court of Canada will consider the two Judicial Review Applications filed by Pfizer Canada Inc. and Rx&D et al., on this matter on June 16-17. Given the dates of the judicial reviews, the Federal Court decision is not likely prior to July 1, 2009, and as such mandatory reporting of benefits will be suspended to January 1, 2010.

The PMPRB remains committed to transparency and fairness in the fulfillment of its mandate. ■



Brien G. Benoit, MD, Chairperson

Submissions on the Draft Revised Excessive Price Guidelines are available on our Web site under Consultations.

A handwritten signature in blue ink, which appears to read "Brien G. Benoit". The signature is written in a cursive style and is positioned above a horizontal line.