

July 18, 2022

Patented Medicine Prices Review Board
Box L40, Standard Life Centre
Suite 1400-333 Laurier Avenue West
Ottawa, ON K1P 1C1

Submitted via the [Consultation Submission Portal](#)

RE: Response to the PMPRB Interim Approach Consultation

On behalf of Elvium Life Sciences, we offer this response to the Patented Medicine Prices Review Board (PMPRB) June 30, 2022 Notice and Comment: [PMPRB Price Review Approach During the Interim Period following publication of Amendments to the Patented Medicines Regulations](#).

On this matter, we are supportive of the position, key recommendations, and concerns raised by our industry association, Innovative Medicines Canada (IMC). We further wish to highlight and reinforce that:

- a) Although there is a requirement to report the new basket of countries with the current reporting period (January to June 2022), there is no guidance or clarification on how this information will be used. PMPRB needs to confirm whether a price that exceeds the Highest International Price but is otherwise compliant with the two identified price tests will be considered compliant.
- b) The interim approach and any future PMPRB guidelines should respect and clearly reflect the PMPRB mandate to monitor for patent abuse and excessive pricing, and not anchor to 'lowest/lower of' or 'average/median' type pricing tests.
- c) PMPRB needs to commit to and clearly communicate a transition timeline of at least two reporting periods following the current interim period and after finalization of the new guidelines in order to ensure orderly adjustment to new pricing regime.

It should also be noted the current Notice and Comment seeks input on PMPRB policy for an "Interim Period" which is already under way in July 2022 at the time of the consultation and thus calls into question the validity of the consultation process itself.

Thank you for the opportunity to provide comment.

Sincerely,

Melanie Milburn
General Manager, Elvium Life Sciences