1 March 2016
EMA/531801/2015
Human Medicines Research and Development Support Division

Development support and regulatory tools for early access to medicines

The EU pharmaceutical legislation includes a number of provisions in Regulation (EC) No 726/2004 aimed at fostering patients' early access to new medicines that address public health needs and are eligible to the **centralised procedure**, such as:

- **accelerated assessment** procedure which reduces the timeframe for review of an application for marketing authorisation from a maximum of 210 days to 150 days for medicinal products of major public health interest and in particular from the viewpoint of therapeutic innovation,
- for certain categories of medicinal products, the possibility to obtain **a conditional** marketing authorisation on the basis of less complete data than is normally the case and subject to specific obligations and additional comprehensive data to be provided post-authorisation. Conditional marketing authorisations are valid for one year on a renewable basis,
- the possibility for a **compassionate use opinion** by the CHMP defining at European level the criteria and conditions for use of medicinal products which are made available to patients through national patients' access programmes (prior to a marketing authorisation).

To optimise the use of the above regulatory tools, EMA has launched the **PRIME** scheme to support development of medicinal products of major public health interest through early and enhanced scientific and regulatory dialogue. This tool targets support to certain type of products eligible for accelerated assessment and falling within the scope of the centralised procedure. It builds also on existing regulatory tools in place within the European Union (EU) legal framework, including scientific advice/protocol assistance.

The table overleaf provides a high-level overview of the above legislative and development support tools to help sponsors identify when and how to use them.

However, there are a number of other development support activities, not covered in this tabular overview, carried out by the Agency including the following:

- The **Innovation Task Force (ITF)** which is a multidisciplinary group providing a forum for informal early dialogue with applicants, in particular micro, small and medium enterprises (SMEs) and academic sponsors, to proactively identify scientific, technical and regulatory issues related to emerging therapies and technologies.

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- The **Micro-, Small- and Medium-sized-Enterprise (SME) Office** which facilitates communication with SMEs through dedicated personnel within the Agency, provides administrative and procedural assistance, monitors applications and organises workshops and training sessions for SMEs.
- **Scientific advice and protocol assistance,** whereby the Agency provides advices to a company on the appropriate tests and studies for the development of a medicine, based on specific questions posed by companies. The Agency also offers **parallel scientific advice with health-technology-assessment (HTA) bodies** which allows gaining feedback from regulators and HTA bodies simultaneously, early in the development of a medicine, in order to establish the evidence that both parties will need to determine a medicine's benefit-risk balance and value.
- The **Adaptive Pathways** which is a scientific concept of medicines development and data generation for medicines in areas of high medical need where collection of data via traditional routes is difficult and with potential for a gradual extension of the target population and possibility to collect and use real-world data. The early access tools described in the tabular overview hereinafter can be used for development programs which meet the Adaptive Pathways criteria. More information can be found in a dedicated question and answer included in the EMA Guidance for applicants' access to PRIME scheme.

These tools are not mutually exclusive. As an example, a medicinal product which is benefiting from support under the PRIME scheme could request an opinion from the CHMP on the compassionate use while undergoing clinical trials, the review of the marketing application could follow an accelerated timetable and the outcome of which could be the granting of a conditional marketing authorisation.

As an additional example a company, prior to applying for PRIME, may consult the ITF to seek informal views from EMA and EU experts on issues relating to research and development of their product or request ATMP classification. Upon generation of supportive data, they can apply to PRIME. A SME company will furthermore interact with the SME Office to apply for the SME status and seek any administrative support linked with SME incentives.

This document should be read in conjunction with definitions and links provided in the tabular overview to relevant legislation and EMA guidance where more details are available.

	Development support	Early Access regulatory tools		
	PRIME	**Accelerated assessment**	**Conditional MA**	**CHMP Compassionate use opinion**
Which medicines	Medicinal products of **a major interest** from the point of view of **public health** and in particular from the viewpoint of **therapeutic innovation** (unmet medical need)	Medicinal products of a **major interest** from the point of view of **public health** and in particular from the viewpoint of **therapeutic innovation** (unmet medical need)	Medicinal products for: • Seriously debilitating diseases or life-threatening diseases, • Emergency situations, • Orphan medicinal products Fulfilling all of the following criteria: • Positive risk-benefit balance • Applicant likely to be able to provide comprehensive data after authorisation • Fulfilment of unmet medical need • Benefits of immediate availability outweigh the risks that additional data are still required.	**Unauthorised** medicinal products fulfilling the following criteria: • Chronically, seriously debilitating or life threatening disease, with no satisfactory treatment authorised in the EU, • For a “group of patients”, • Undergoing centralised MAA or clinical trials • Falling under mandatory or optional scope of centralised procedure
Key features	• Identify potential for accelerated assessment earlier in development • Early rapporteur appointment • Reinforced scientific and regulatory support from the SAWP/ CHMP, other relevant scientific committees and EMA • Dedicated contact person within EMA	Reduced MAA assessment time to maximum 150 days (compared to standard 210 days)	• Earlier authorisation of medicines for patient with unmet medical needs, on the basis of less complete clinical data. • Comprehensive data generated post authorisation within agreed timeframe.	• Benefit seriously ill patients who cannot be treated satisfactorily or cannot enrol in ongoing clinical trials • CHMP recommendations to MS to harmonise the conditions of use, distribution and the target population.

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When to request	• During the development, based on preliminary clinical evidence (proof of concept); • Exceptionally earlier access to SMEs and academics (proof of principle); at least first in man.	Notify intention to request accelerated assessment 6-7 months before submission of the MAA. Submit request 2-3 months before submission of MAA.	Discuss as early as possible, during development, through scientific advice/ protocol assistance or PRIME. Request at submission of MAA. Can also be proposed by the CHMP during assessment of MAA.	When a MS envisages the need to make a medicinal product falling within the mandatory or optional scope of the centralised procedure available for compassionate use to a group of patients.
How to apply	Submit request supported by justification that the medicinal product addresses to a significant extent the unmet medical needs to prime@ema.europa.eu	Submit request supported by justification on the claim that the medicinal product addresses to a significant extent the unmet medical needs to pa-bus@ema.europa.eu	Indicate in the MA application form that conditional marketing authorisation is being proposed and include corresponding justification in section 1.5.5 of Module 1.	The Competent Authority of a MS must notify the EMA and may indicate whether they consider that a CHMP opinion on the conditions for compassionate use would be of interest. CHMP opinion on compassionate use cannot be requested by applicants who may therefore consider liaising with MS.
Additional information	EMA webpage on PRIME	EMA guideline on the procedure for accelerated assessment	EMA guideline on the conditional MA	EMA webpage on compassionate use

EMA: European Medicines Agency

SAWP: Scientific Advice Working Party

CHMP: Committee for Medicinal Products for Human use