Statutory Approvals Committee - minutes

Authorisation of novel process for Anecova AneVivo Intrauterine Device - London Women's Clinic (centre 0105)

Thursday, 30 July 2020

HFEA, 10 Spring Gardens, London, SW1A 2BU via Teleconference

Committee members	Margaret Gilmore (Chair)	
	Emma Cave	
	Anne Lampe	
	Tony Rutherford	
Members of the Executive	Moya Berry Catherine Burwood	Committee Officer Licensing Manager
Legal Adviser	Sarah Ellson	FieldFisher - LLP
Observers	Dee Knoyle	HFEA Committee Officer

Declarations of interest

- Ruth Wilde declared a conflict of interest and was not present during the discussion of this item.
- The other members of the committee declared that they had no conflicts of interest in relation to this item.

The committee had before it:

- 9th edition of the HFEA Code of Practice
- Standard licensing and approvals pack for committee members

The following papers were considered by the committee:

- 2020-06-08 Authorisation for a novel process paper presented to the Scientific and Clinical Advances Advisory Committee (SCAAC) and annexures
  - Annex A: Novel process application - IVF using the AneVivo device in interpartner and standard egg donation
  - Annex B: Supporting Information
  - Annex C: Novel Processes Authorisation Decision Tree

- 2020-06-08 SCAAC meeting minutes

The following papers were tabled at the meeting following the request of the committee:

- 2015-08-27 Statutory Approvals Committee (SAC) meeting minutes

1. Consideration of application

1.1. The committee noted that the HFEA had received an application for the authorisation of a novel process for the use of Anecova AneVivo Intrauterine Device. The application relates to the extension of a current authorised process and if approved would allow the device to be used between different women. This would allow the eggs donated by a female partner or donor to be inserted into a second partner or recipient for incubation. The committee noted that the process is currently only authorised for use in a single woman.

1.2. The HFEA has delegated the authorisation of novel processes to the Statutory Approvals Committee (SAC), advised by the opinion of the Scientific and Clinical Advances Advisory Committee (SCAAC) on whether there is evidence that a process is not safe or not effective.

Initial authorisation application

1.3. The committee noted that the initial novel process authorisation application was received and approved in 2015. This was for the intrauterine culture of gametes and embryos (including insertion and removal of device, followed by transfer of embryo(s) to the same woman).

1.4. SCAAC advised the committee that:

- The use of intrauterine culture devices constituted a novel process.
- The process applied for fell within two licensable activities: processing gametes and processing embryos.
- The evidence provided gave no indication that the process is unsafe.
- They did not see any evidence to suggest that intrauterine culture of gametes/embryos using a device such as the Anecova AneVivo would not be effective. However, it did not feel that there was sufficient clinical data to say whether the process has a greater or lesser efficacy than that of traditional IVF methods.

1.5. The application was approved, by majority, by SAC at its meeting on 27 August 2015. They specified that it is possible that the process might offer no improvement in efficacy and might add an unnecessary cost to patients, and any patient information provided by clinics should highlight this. In addition, information on the HFEA website should draw attention to the fact that the process has not yet been subject to a clinical trial, and its efficacy is therefore not known.

1.6. In February 2018, SCAAC reviewed an outcomes report provided by the applicant which resulted in them requesting clarification about the hypothesis and data in order for them to decide if approval of this process should remain. A representative from the applicant centre attended a SCAAC meeting in October 2018, and again in January 2019. SCAAC suggested that additional data would still be needed in order for it to review whether intrauterine culture should remain on the list of approved novel processes. A further outcomes report is due to be submitted to the HFEA by the end of 2020.

Current authorisation application

1.7. The committee noted that this application to extend the current authorised process, was considered by SCAAC on 08 June 2020. The committee noted that SCAAC were asked to consider the following:

- Whether the process outlined in the application is sufficiently different from the processes currently authorised as to be considered 'novel'
- Whether there is evidence that this process is not effective
- Whether there is evidence that this process is not safe

1.8. The committee noted that SCAAC had advised that there appears to be no evidenced benefit in extending the use of this device into more than one woman. Until a clear benefit has been established, SCAAC would not recommend proceeding with this extension as there are potential risks that cannot be quantified due to a lack of evidence.

2. Decision

2.1. The committee had regard to its Decision Tree. They were satisfied that the proposed process was to be used to carry out a licensed activity and therefore the administrative requirements were met.

2.2. The committee sought the advice of the legal adviser on the questions that it had to address following SCAAC's consideration, and also took note of legal advice provided previously, at the 27 August 2015 meeting.

2.3. The committee noted that the questions considered by SCAAC were: (a) is there evidence to suggest the process is not safe; and (b) is there evidence to suggest that the process is not effective. In contrast, the decision tree states that the questions for the committee to consider are: (a) is the process safe; and (b) is the process effective. The committee did not feel that these questions were the same. The legal adviser advised that the novel process in this case involves processing gametes and embryos in the course of providing treatment services. Thus, it relates to licences granted under section 11(1)(a) and paragraph 1 of schedule 2 to the Human Fertilisation and Embryology Act 1990, to which, by virtue of section 14A(2), the conditions required by schedule 3A must apply. By paragraph 11(b) of schedule 3A, one of the requirements is that the processing of gametes and embryos must comply with Annex II, Part B, of Directive 2006/86 EC, and paragraph 1 of part B of Annex II states that the processing procedures "must not render the tissues or cells clinically ineffective or harmful to the recipient". This is why the test for SCAAC is expressed as it is and legally the questions to be considered by this committee are essentially the same as those that had been considered by SCAAC.

2.4. Having reviewed the advice from SCAAC, the committee noted that there were a number of potential safety risks associated with the process. These included the potential for the device to become lost whilst inserted in the uterus and the unknown likelihood of this occurring; that using the device in two women doubles the risk of infection; and that there is evidence from animal models that increased manipulation of embryos around the time of transfer causes programming effects in offspring, such as birth weight and long-term development. The committee therefore decided that there was insufficient evidence provided to determine the safety of using Anecova AneVivo Intrauterine Device in more than one woman.

2.5. With regard to efficacy, the committee noted the evidence review on the outcomes report that had been carried out by SCAAC in February 2018. The committee noted that SCAAC had raised concerns that there was a lack of hypothesis and the data was insufficient, and it was noted that the protocol used in the outcomes report was different from the protocol in the original application, which in itself raised a risk.

2.6. The committee also noted SCAAC's rebuttal of the applicant's claim that the process is not intended to increase live birth rate but is instead intended to mimic a more 'natural' environment, reduce the exposure to synthetic in vitro culture media and give some psychological benefits to patients. SCAAC advised that the device does not mimic 'natural' development as the embryo would usually be in the fallopian tubes in the early stages of development, rather than the womb.

2.7. The committee therefore decided that there was insufficient evidence provided to determine the effectiveness of using Anecova AneVivo Intrauterine Device in more than one woman.

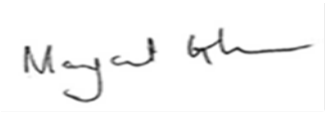
2.8. In conclusion, the committee agreed that there was a lack of evidence with regard to safety and efficacy of the proposed novel process and decided to refuse approval of the application.

2.9. The committee strongly recommended that the further evidence, due to be received in December 2020, which should include details of the validation and evaluation of the Anecova AneVivo Intrauterine Device, is dealt with urgently in order that further clarification on the safety and efficacy of this process, in use between more than one woman, and in general, can be provided.

3. Chair's signature

3.1. I confirm this is a true and accurate record of the meeting.

Signature



Name

Date

18 August 2020