Academy of Managed Care Pharmacy (AMCP)

Biologics and Biosimilars Collective Intelligence Consortium, LLC (BBCIC, LLC)

GOVERNANCE

Approved by the BBCIC

Board of Managing Directors September 16, 2022

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1 BBCIC CHARTER

1.1 Charter Scope

The Academy of Managed Care Pharmacy (AMCP) Biologics and Biosimilars Collective Intelligence Consortium, LLC (BBCIC) Charter details the principles and policies governing consortium organization, operations, and research. The Charter documents the roles, rights, and responsibilities of the various BBCIC governing bodies and BBCIC Participants and includes individuals and institutions that receive payment through BBCIC contracts, subcontracts, or grants. All participants and contractors are expected to abide by all policies and procedures expressed herein and approved by the BBCIC Board of Managing Directors. This document will be reviewed and revised (if necessary) periodically if significant edits are warranted.

1.2 Purpose and Mission Statements

The BBCIC Mission is to generate reliable real-world evidence that examines the safety and effectiveness of biologics in order to improve public health.

The BBCIC will provide a range of research services that support the following value propositions:

- Address essential questions about the use, impact, safety, and clinical effectiveness of biologics, including biosimilars, on human health.
- Increase the rigor and credibility of real-world evidence
- Provide access to a large population for epidemiologic studies and health services research
- Improve the efficiency and cost-effectiveness of post-marketed observational studies
- Develop standard approaches to common data needs and address gaps in tools and methods.

1.3 BBCIC Scope Definition

AMCP established the BBCIC to address anticipated needs for post-marketed evidence generation for novel biologics, their corresponding biosimilars, and other related products. Currently, there is no proactive post-approval evidence generation system in the US for investigating biologics, including biosimilars. This is an essential public health need. The BBCIC meets this need with a science-driven approach that leverages and expands existing distributed research network resources and other data sources. The BBCIC is the neutral convener to provide investigators, biopharmaceutical companies, managed care organizations (MCOs), integrated delivery networks (IDNs), pharmacy

benefit managers (PBMs), physicians, and patient advocates with an organized process to characterize patient populations and generate evidence for biologics, including biosimilars, in a manner that promotes robust and relevant scientific research and exchange, and to make meaningful contributions to the scientific record.

The BBCIC will conduct a range of analyses from population characterization, epidemiologic studies, and active observational sequential analysis of biologics/biosimilars using a distributed network of healthcare organizations or other appropriate data sources.

Specific observational research activities may include, but are not limited to:

- Population characterization and natural history, for example:
  - Disease prevalence
  - Product exposure
  - Product utilization, switching, and adherence
  - Characterization of subpopulations or cohorts
- Safety (with and without the comparative dimension), for example:
  - Detecting frequency of events
  - Assessing clinical loss of efficacy over time
  - Comparing among products' acute reactions such as anaphylaxis, injection site reactions, and flu-like symptoms
- Effectiveness (with and without the comparative dimension), for example:
  - Focusing on clinical endpoints/measurable efficacy
  - Assessing real-world dosing
  - Assessing compliance and gaps in therapy
- Methods and Infrastructure, for example:
  - Identifying gaps and solutions to observational research approaches
  - Developing and validating algorithms for claims data
  - Assessing data fitness-for-purpose

The BBCIC's focus is its science-driven approach. The BBCIC scope does not include advocacy or political functions, including taking a position or commenting on legislative or regulatory proposals.

1.4 AMCP BBCIC, LLC Legal Entity

The BBCIC is operated as a subsidiary of AMCP, housed under a separate legal entity. The AMCP BBCIC, LLC is a single-member LLC of which AMCP is the sole member.

1.5 Participant Types and Fees

The BBCIC is organized as a consortium composed of participating biopharmaceutical

and pharmaceutical companies, managed care organizations, pharmacy benefit management organizations, patient and provider advocacy organizations, non-profit research organizations, and other organizations relevant to the mission. These organizations will be referred to as Participants.

Each Participant will be assessed a fee based on Participant type. The fees will be determined and set by the BBCIC Board of Managing Directors.

1.5.1 Participant Types

1.5.1.1 Participant Organization

--An organization providing funding and/or substantial in-kind resources of reasonable equivalent value to the cash contribution of those organizations providing funding of equal scale. The Participant Organization can appoint one (1) representative each to the BBCIC Steering Committee, the Science Committee, and the Communications Committee. This is a full-fee category and includes pharmaceutical companies, MCOs, and IDNs and can also include other types of organizations such as PBMs, specialty pharmaceutical distribution companies, trade associations, government organizations, foundations, self-insured employers, and other nonprofit organizations.

1.5.1.2 Associate Participant Organization

--An organization that does not plan to market in the US a biologic (with a biosimilar in the pipeline) or a biosimilar and has no innovator biologics with biosimilars in the pipeline for at least two years from the time of joining the consortium. This is a discounted fee category.

1.5.1.3 Public Representative Organization

--A nonprofit organization determined to fill the multi-stakeholder goal of the BBCIC. This is a no-fee category.

1.5.2 Participant Fees

Participant fees will be tiered based on revenue and type of organization.

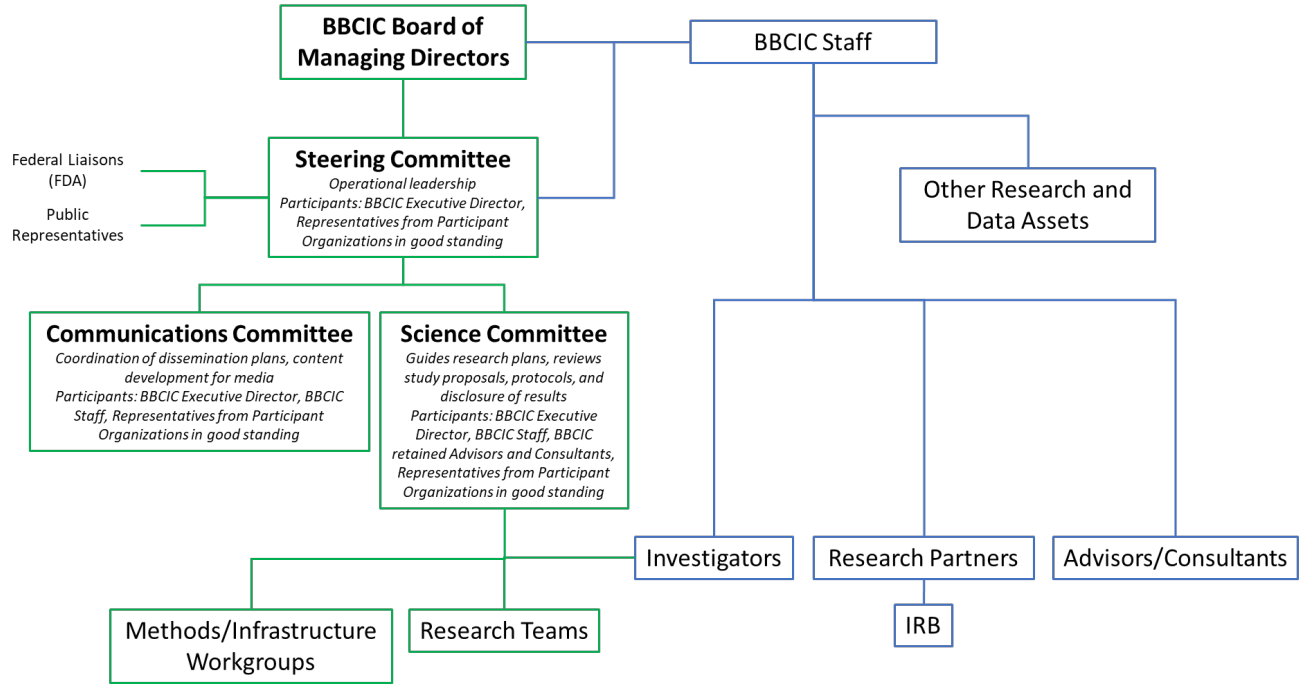
The BBCIC will determine fees annually, requiring the BBCIC Board of Managing Directors' final approval. The Steering Committee is responsible for recommending participant fees based on the requirements of the annual research plan that the BBCIC Science Committee develops. The Steering Committee advances its fee recommendations to the BBCIC Board of Managing Directors for approval.

Participant fees will be made public to the BBCIC Participants before renewal.

1.6 Governance and Organizational Structure

The structure outlined in Figure 1 illustrates the organizational approach governing the interaction between the BBCIC Program Office and the BBCIC governing bodies overseeing all BBCIC Research and Operations. The roles and responsibilities of the BBCIC staff, the AMCP General Management Services, and the BBCIC governing bodies will be described within this document.

Figure 1. BBCIC Governance and Organizational Structure



Herein, the Consortium Director refers to the primary person leading the organization, Research Partners refer to BBCIC partner organizations that provide data assets and other scientific and technical expertise, and Investigators refers to individuals or groups enlisted to lead research projects on behalf of BBCIC.

1.6.1 BBCIC Board of Managing Directors

Composition

The BBCIC Board of Managing Directors is the governing body composed of not less than three (3) voting members, as appointed by the sole member of the LLC, AMCP. It is anticipated that there will be five (5) voting members of the BBCIC Board of Managing Directors, including AMCP President* (serving as Chair), AMCP Treasurer, AMCP CEO, and two (2) at-large Directors. In addition, it is anticipated that the BBCIC Consortium Director and other designated BBCIC Staff will participate in all BBCIC Board of Managing Directors meetings without a vote.

(*Note: The AMCP President may designate a current member of the AMCP Board of

Directors to serve in their place. This is solely at the AMCP President's discretion.)

Term of Appointment

The AMCP Board of Directors appoints the BBCIC Board of Managing Directors. The AMCP CEO, President, and Treasurer will serve for the length of their term in that office. At-Large Directors are anticipated to serve two one-year terms, with rotations staggered.

Selection and Qualifications

The AMCP President, AMCP Treasurer, and AMCP CEO are selected ex officio. The BBCIC Board of Managing Directors appoints At-Large Directors with input from the BBCIC Steering Committee. The At-Large Directors should not be currently employed by a pharmaceutical manufacturer.

Responsibilities

The BBCIC Board of Managing Directors' role is to govern the BBCIC and oversee its operations. The BBCIC Board of Managing Directors is responsible for oversight of the BBCIC, including:

- Approving the Charter and Operational Policies & Procedures;
- Approving the Research Plan from a fiduciary and mission perspective, after consideration of BBCIC Steering Committee and Science Committee recommendations;
- Approving the Operating Budget as proposed and overseen by the Consortium Director;
- Providing oversight to ensure the Charter and all policies and procedures are followed;
- Maintaining ongoing participation in and alignment with the BBCIC Steering Committee;
- Support strategic planning and vision for organizational growth and advancement.

1.6.2 BBCIC Steering Committee

Composition

The BBCIC Steering Committee is composed of:

- BBCIC Consortium Director, ex officio, voting
- Designated BBCIC staff ex officio, voting
- One (1) representative from each of the BBCIC Participant Organizations, voting
- One (1) representative from each of the BBCIC Associate Participant Organizations, non-voting
- One (1) representative from each BBCIC Research Partner organization, voting
- Up to three (3) public representatives recruited from patient/consumer/physician advocacy organizations, voting
- BBCIC Board of Managing Directors Liaison, ex officio, non-voting

- BBCIC Science Committee Chair, ex officio, non-voting

The BBCIC Steering Committee will elect a Chair from within its roster annually.

Term of Appointment

The representatives of the Participant and Research Partner organizations serve at least a one-year term. Each representative's appointment is contingent upon remaining in the employment of the Participant or Research Partner organization and the Participant or Research Partner organization remaining in good standing on the BBCIC Steering Committee.

The Public representatives serve at least a one-year term, renewable indefinitely, contingent upon remaining in a position relevant to BBCIC needs. The ex officio members of the Steering Committee serve for so long as they hold the applicable position.

Selection and Qualifications

Each applicable Participant selects representatives from the Participant organizations.

The BBCIC Steering Committee selects representatives from the public. The public members should have a keen interest in improving the dissemination of unbiased scientific evidence for biosimilars and their corresponding biologics.

Responsibilities

The BBCIC Steering Committee is responsible for:

- Developing recommendations for revisions to the BBCIC Charter, Operational Policies & Procedures and the Research Framework, and annual research plans for submission to the BBCIC Board of Managing Directors for approval
- Reviewing and approving the Annual Research Plan developed by the BBCIC Science Committee for scope, timeliness, and appropriateness to the BBCIC mission and research framework and advancing to the BBCIC Board of Managing Directors for approval
- Provide input and guidance on overall organization strategy, including research and scientific goals to drive the strategic plan
- Reviewing refinements to the BBCIC research plans or related activities developed and/or recommended by the BBCIC Science Committee, including updates to the Annual Research Plan (see Policy 2.13.1 Annual Research Plan)
- Reviewing quarterly updates for all current research projects
- Reviewing the Annual Research Plan and annual reports for BBCIC research
- Forming subcommittees or ad-hoc advisory groups to oversee or develop plans for specific issues
- Develop and drive strategic alliances, relationships, and collaborations to further the

mission and capabilities of the Consortium
- Act as visionaries to drive BBCIC toward the future based on identified needs, gaps, opportunities, and scope of work
- Overseeing public communications regarding BBCIC activities and findings

Commitment

The BBCIC Steering Committee is expected to meet at least six (6) times annually, either in person or via teleconference. Participant representatives may volunteer to serve on subcommittees for specific projects.

1.6.3 BBCIC Committees

1.6.3.1 Science Committee

Composition

The BBCIC Science Committee is composed of:

- BBCIC Consortium Director, ex officio, voting
- Designated BBCIC staff, ex officio, voting
- One (1) representative from each of the BBCIC Participant Organizations, voting
- One (1) representative from each of the BBCIC Associate Participant Organizations, non-voting
- One (1) representative from each of the BBCIC Research Partners organizations, voting
- BBCIC Steering Committee Liaison, ex officio, non-voting
- BBCIC Steering Committee Chair, ex officio, non-voting
- Independent contracted experts (budget permitting), up to 3, non-voting

The BBCIC Science Committee will elect a Chair from within its roster annually.

Term of Appointment

The representatives of the Participant and Research Partner organizations serve at least a one-year term. Each representative's appointment is contingent upon remaining in the employment of the Participant or Research Partner organization and the Participant or Research Partner organization remaining in good standing on the BBCIC Steering Committee.

The elected Chair will serve in that capacity for one year. The same Participant may hold the Chairmanship for three (3) years.

Selection and Qualifications

The Participant selects the representatives from the Participant organizations. In addition, the BBCIC Consortium Director will consider appointing additional members to ensure that a mix of disciplines and expertise is achieved on the Science Committee.

Responsibilities

The BBCIC Science Committee:

- Will be accountable to the BBCIC Steering Committee
- Will be accountable for developing and conducting the overall research plan, including prioritization of research topics and their annual updates, Research Protocols, and selecting Research Teams needed to execute the plan.
- Will be responsible for creating consensus in the event of a research-related disagreement among the participants.
- Forming subcommittees or ad-hoc advisory groups to oversee or develop plans for research-related issues.

Role of Chair:

- Define the BBCIC Science Committee agenda and act as a facilitator at its meetings
- Call for special BBCIC Science Committee meetings in compliance with the Operating Agreement.
- Ensure the Project Principal Investigators/Leads report to the BBCIC Steering Committee quarterly on the status of the activities and research projects

1.6.3.2 Protocol Research Teams

The Protocol Research Teams will develop protocols for the specific BBCIC research questions. The composition of the Protocol Research Team will include a Principal Investigator or Co-Principal Investigators (PI/Co-PI) or Project Lead whom the BBCIC Consortium Director appoints. The PI/Co-PI will be individuals with experience conducting studies aligning with the BBCIC research approach. Individuals with specific data, clinical, or methodological expertise will be included on the Research Team when appropriate. A Research Partner, which may be the PI/Co-PI organization, may be selected as the Lead Data Site to manage project-specific data and analysis needs. The Consortium Director will issue a call for nominations to BBCIC Participants for each Protocol Research Team. The Science Committee will ensure the Research Teams reflect the various Participant stakeholders and include data, clinical, epidemiology, statistics, and HEOR expertise as needed for the study.

The BBCIC Science Committee may also appoint subject matter experts where the expertise does not already exist on the Science Committee. BBCIC Participants may volunteer additional in-organization observational research experts to assist the Protocol Research Team.

Responsibilities

The Protocol Research Teams:

- Write formal Research Protocols or Study Plans to be approved by the Science Committee.
- Ensure appropriate Data Use Agreements are in place among participating Research Partners and other data assets as necessary
- Conduct approved Research Protocols working with Research Partners, BBCIC staff, and other stakeholders to complete the study.
- Develop and submit to the Science Committee any substantive protocol changes, including those needed to investigate any potential safety-related findings of interest (see Policy 2.14.2 Process for Informing the Science Committee of a Safety-Related Finding of Interest).
- Provide quarterly updates on Research Protocols to the Science Committee and Steering Committee.

1.6.3.3 Communications Committee

Composition

The BBCIC Communications Committee is comprised of one (1) representative from each Participant organization and Research Partner organization if they so choose.

Term

The representatives of the Participant and Research Partner organizations serve at least a one-year term. The representative's appointment is contingent upon remaining in the employment of the Participant or Research Partner organization and the Participant or Research Partner organization remaining in good standing on the BBCIC Steering Committee.

Selection and Qualifications

The Participant organization selects the representatives to serve on this Committee.

Responsibilities

The BBCIC Communications Committee is responsible for providing recommendations on overall communications plans and supporting the dissemination of BBCIC research and work products via any available channels as appropriate and decided by the Committee.

1.6.4 BBCIC Ad-Hoc Work Groups

From time to time, the BBCIC Steering Committee may establish ad-hoc working groups to support Committee activities. These may include (but not be limited to) a Data and Standards Working Group addressing data gaps and developing and recommending standards supporting the research plan.

1.6.5 BBCIC Staff

1.6.5.1 BBCIC Consortium Director

The BBCIC Consortium Director refers to the primary individual leading BBCIC and will provide overall and day-to-day management of the BBCIC. The Consortium Director will be an employee of AMCP, serving in the capacity of the BBCIC Consortium Director through a Service Agreement between AMCP and the BBCIC. The Consortium Director will report to the AMCP CEO.

The BBCIC Consortium Director will have oversight of the BBCIC operating budget and work with the AMCP CEO to identify staffing needs and fill roles as appropriate.

1.6.6 Research Partners

The BBCIC will enlist Research Partners who provide data and other scientific and technical expertise as part of the BBCIC Distributed Research Network (DRN). Research Partners will:

- Provide cost-effective data management and query operations
- Work with BBCIC staff to provide input on policies and the Research Plan and Study Protocols for BBCIC research
- Work with Research Teams to determine the approach to fulfill the program evidence generation priorities
- Manage Data, query, and analytic methods as directed by Protocol Research Teams and their approved Research Protocols
- Manage policies on the security of data.
- Manage studies, including compliance with applicable regulatory and protocol requirements
- Perform source record validation (chart pulls) when appropriate
- Maintain access to electronic medical records and laboratory results when available
- Maintain Institutional Review Board (IRB) approvals for BBCIC research (see Policy 2.2.1 Institutional Review Board Approval of Research Protocols).
- Hold liability insurance for breach of data

New Research Partners or other data assets will be considered, budget permitting, if they can substantially address protocol gaps (See Policy 2.4.3 Expansion of the Common Data Model).

1.6.7 Advisors

From time to time, the BBCIC Consortium Director may hire paid advisors to support Steering Committee, other Committee work, or Research Teams.

1.6.8 Federal Agency Liaisons

The BBCIC Consortium Director may, with Board of Managing Directors and Steering Committee approval, establish liaisons with US Health and Human Services (HHS) federal agencies such as the Food and Drug Administration (FDA). Other liaisons should be considered based on advancing active surveillance results and methods.

1.6.9 Organizational Liaisons

The BBCIC Consortium Director may, with approval from the Board of Managing Directors and Steering Committee, seek to establish liaisons with health and health-related organizations to share information about biologics/biosimilars research questions/results and collaboration opportunities.

2 BBCIC POLICY AND PROCEDURES

2.1 BBCIC Antitrust Policy & Meeting Guidelines

2.1.1 Quorum and Voting

Roberts Rules of Order, as amended from time to time, shall be the BBCIC's parliamentary guide and govern the conduct of meetings of the Board of Managing Directors, the Steering Committee, and BBCIC Committees.

A quorum is established when a majority of the Voting Members are present. The action of a simple majority of Voting Members present at a meeting at which a quorum is present shall constitute the action of the Board or Committee, with the exception that a super-majority (60%) will be required for the following approvals:

- Annual Research Plan
- Safety and Effectiveness Research Protocols
- Research Protocols

No proxy voting is allowed.

2.1.2 Antitrust Policy

All BBCIC staff members and Participants shall be presented with a copy and an orientation by the BBCIC Consortium Director or designee to the following:

1. It shall be the duty of every individual to monitor for matters having antitrust implications and to intervene and cause to cease and desist any prohibited course of action or discussion, no matter how trivial and inadvertent.
2. All meetings associated with BBCIC will follow a published agenda and conclude with appropriate comments. There will be no secret meetings.
3. When discussing any issue, the pros and cons must be presented in a fair and balanced way so that listeners may make their own judgments. All officers, committee persons, and Participants will avoid leading any person away from, or to, any product or service.
4. Individual Board of Managing Directors, Steering Committee Participants, Committee Participants, or any other BBCIC volunteer, contractor, or vendor will not represent themselves as speaking on behalf of BBCIC unless cleared to do so by the BBCIC or the BBCIC Board of Managing Directors.

2.1.3 Antitrust Guidelines for ALL BBCIC Meetings

BBCIC meetings must be conducted in a manner that avoids the fact or appearance of conduct that may violate the antitrust laws. The BBCIC must ensure that certain subject areas (noted below) are not discussed at BBCIC meetings and that no illegal agreements are reached or carried out through the organization. Below is a summary of the standards of conduct and legal restraints which must be observed at BBCIC meetings to protect against violations of the antitrust laws.

PROHIBITED SUBJECT AREAS: AVOIDING POTENTIAL ANTITRUST LIABILITY

Each BBCIC Participant has the responsibility to avoid raising improper subjects for discussion. BBCIC Participants are encouraged to familiarize themselves with their own company's or organization's guidelines and to abide by them.

Discussion of activities and programs relating to the subjects set forth below are improper and should not be permitted. To discuss or engage in conduct on these topics at BBCIC meetings could lead to an understanding or agreement expressly made or implied, which may subject the BBCIC and individual Participants to legal liability under the antitrust laws:

- Industry-wide or individual company prices (current or projected) or matters related to pricing such as costs, profits, contractual terms and conditions (e.g., discounts, credit terms), wages/salaries, market allocation, market shares/sales, clients/customers
- Encouraging boycotts, exclusions of products/services, or "refusals to deal" with individuals, companies, or governmental entities
- Subjects that could be viewed as fostering unfair practices involving advertising, standardization, certification, or accreditation
- Limitations on individuals or organizations that would result in restricting their ability to engage in a business or business practice or inappropriately exclude them from participation in BBCIC activities
- An individual company’s product or service offerings, including design, characteristics, or pricing information; specific sales, distribution, marketing, and/or R & D plans; confidential or non-public product/service information or product/service development or commercialization strategies

Note: Do not discuss or exchange information on the subject areas described above at social gatherings or "rump" meetings incidental to BBCIC meetings, even in jest.

PERMISSIBLE SUBJECT AREAS

In general, discussion of or activities and programs relating to the following subjects are proper and permitted:

- BBCIC Research Protocols, data requirements, statistical and epidemiological methods, and analysis of results
- Reporting and exchanging information on general industry or professional developments, concerns, and economic trends
- Describing advances/problems in relevant research and technology
- "Best practices" discussions: Providing general information to assist and identifying methods by which an individual or company can improve performance (efficiencies, profitability, management, etc.); however, no agreements should be reached as to the use of a particular practice or to exclude a competitor from using a different practice

Note: A subject appropriate for discussion can be rendered inappropriate by an improper approach to it (e.g., a cover-up to harass competitors or to reach an agreement through the use of a governmental process that would otherwise be unlawful).

2.2 Policy on the BBCIC Commitment to Protecting the Privacy of Patients

BBCIC Participants and Collaborators must observe all applicable federal and state patient privacy- and security-related laws and regulations.

If a potential for harm is discovered via the process of scientific discovery, clear standards and directives must exist to communicate information in a timely and effective manner that minimizes risk to all concerned. This communication, to be reviewed and approved by the Steering Committee, can be to patients, stakeholders, and, most importantly, regulatory bodies (e.g., the FDA). (See Policy 2.9.1 Confidentiality Policy.)

2.2.1 Institutional Review Board Approval of Research Protocols

The HHS Office of Human Research Protections (OHRP) 45 CFR Part 46, “Common Rule,” applies to the activities included in the BBCIC. It is, therefore, necessary for Research Partners to obtain approval from a centralized Institutional Review Board (IRB) or Privacy Board or to obtain waivers of authorization under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), to participate in BBCIC activities (45 CFR §164.512(b)).

2.2.2 Individual Health Information

The BBCIC will follow the approach established for the FDA Sentinel Initiative that protects the privacy and security of individual health information. Research Partners will maintain physical and operational control over the data in their possession and execute analysis programs distributed by BBCIC Research Teams behind their firewalls. The output of these programs will be provided to the Primary Project Research Partner

or Lead Data Site for a project where Research Partner responses to queries will be aggregated or compiled, analyzed, and results sent to the Research Team.

The BBCIC does not receive or possess personally identifiable information (PII), as defined by the Privacy Act of 1974, or Protected Health Information as defined by HIPAA in the conduct of its activities. The BBCIC will follow the approach established for the FDA Sentinel Initiative that protects the privacy and security of individual health information. This approach is summarized below:

- Research Partners will maintain physical and operational control over the data in their possession. Research partners execute analysis programs behind their firewalls. The BBCIC Research Teams or Primary Project Research Partners distribute these programs to them.
- To run analysis programs, Research Partners maintain Limited Data Sets that contain no direct personal identifiers. The Limited Data set does contain a Research Partner generated Patient ID that the Research Partner can use to link back to source records, when authorized for specific projects, to enhance the dataset available for research by adding additional data or to check source records to investigate a Finding of Interest.
- Direct patient identifiers may be used by Research Partners when necessary to gather additional clinical and demographic information or to link their data to data from other sources, as required by specific projects. Before sharing additional information with the BBCIC or Research Partners, direct patient identifiers must be stripped in accordance with HIPAA requirements and any subject authorizations, if any.
- Research Partners must not have actual knowledge that any information provided for BBCIC research could be used alone or in combination with other information to identify an individual who is the subject of the information.
- If the Primary Project Research Partner or Research Team inadvertently receives direct patient identifiers, it will immediately return or destroy the data.
- Individual health information may be shared by Research Partners with other data holders, such as hospitals and registries, as necessary (for example, to validate health exposures and outcomes of interest or report adverse events) in accordance with these policies and all applicable state and federal regulations (e.g., HIPAA).

2.2.3 Minimum Necessary Standard

Only the minimum amount of data necessary to respond to specific queries, as determined by the BBCIC Science Committee or by particular project workgroups on behalf of the BBCIC, will be requested by Collaborators.

2.2.4 Security

BBCIC data are managed in accordance with the national standards established by the HIPAA Security Rule. Data in the Research Partners' possession are also managed per the Federal Information Security Management Act of 2002 (FISMA). Administrative, physical, and technical safeguards are employed to ensure electronic health information confidentiality, integrity, and security (45 CFR Part 160 and Subparts A and

C of Part 164; 44 U.S.C. § 3541, et seq).

2.3 Specially Protected Health Information

2.3.1 State Laws and Regulations

It is the responsibility of BBCIC Research Partners to determine whether state laws regulate the use and disclosure of health information for BBCIC purposes and to comply with any such laws. BBCIC, with input from the BBCIC attorney, Science Committee, and in consultation with Research Partners, may provide additional guidance to assist Research Partners in assessing whether state law applies to a particular BBCIC query and in determining how to comply. However, it is ultimately the responsibility of each Research Partner to assess and maintain compliance with relevant state laws and regulations.

2.3.2 Federal Laws and Regulations –Alcohol and Drug Abuse Treatment Data

Federal regulations contained in 42 CFR Part 2 address information held by federally-assisted alcohol or drug abuse treatment programs. These regulations protect information that identifies an individual as someone who has applied for or received substance abuse treatment. The Part 2 regulations do not apply to information that does not identify an individual. If Research Partners request medical record information from a federally-assisted substance abuse treatment program to confirm a drug safety finding of interest, the program will be required to obtain individual patient authorization to provide that information if it reveals that the patient received substance abuse treatment. The Research Partner must provide an affidavit to BBCIC that this policy was followed.

2.4 Data Management and Access

The BBCIC Research Partners and BBCIC Research Teams are each responsible for the stewardship of data in their possession.

2.4.1 Distributed Data Approach and Common Data Model

The BBCIC will utilize an existing distributed research network that leverages FDA's Sentinel distributed data approach in which BBCIC Research Partners maintain physical and operational control over their electronic health data in their existing environments (i.e., behind their respective firewalls). BBCIC Research Partners execute standardized data queries distributed by the Primary Project Research Partner and then share the output of these queries to be compiled and analyzed.

2.4.2 Common Data Model

The Common Data Model is a data structure that standardizes administrative and clinical information across Research Partners. Research Partners maintain or provide access to data in the common data model format. The Common Data Model makes it possible to execute standardized programs developed by the Research Teams in collaboration with the Research Partners. The Common Data Model relies on existing standardized coding schema (e.g., ICD-9-CM, HCPCS/CPT, NDC, and batch if available) to minimize the need for ontologic mapping and enable interoperability with appropriate evolving healthcare coding standards and is compatible with other common data models using the same data types. BBCIC encourages Research Partner active participation in the maintenance and use of the Common Data Model, and we attempt to conduct research within that context when possible. Research Partners provide knowledge and expertise to ensure the appropriate use and interpretation of data in the Common Data Model and other formats in their local data.

2.4.3 Expansion of the Common Data Model

BBCIC, in collaboration with the BBCIC Science Committee, may work with Research Partners to incorporate other data sources into the Common Data Model or identify additional data sources and formats necessary to answer specific research questions. These additional data sources may represent “original source data” or “external source data,” as necessary.

Budget permitting, new data partners or data sources will be considered if they can substantially address Protocol gaps. Access to other new data centers that substantially address Protocol gaps could be achieved in 3 ways: adding the data to the DRN, linking to the data, or commissioning a Protocol directly through the new data center.

2.5 Data Repositories

2.5.1 Original Source Data

Research Partners possess several types of data acquired through their regular activities (referred to herein as “original source data”), including administrative claims data, outpatient and inpatient electronic health records (EHRs), demographic information, outpatient pharmacy dispensing, and registry data. Research Partners retain stewardship and possession of both original source data and data transformed into Common Data Model format. Research Partners manage and store the data according to their institutional policies.

2.5.2 Use of External Source Data

Research Partners may be asked to collect information from sources other than their own institution (referred to as "external source data") for purposes such as identifying or confirming exposures or outcomes of interest. Research Partners must clearly differentiate external source data from the Research Partner's original source data and Common Data Model- formatted data. Research Partners must limit access to external source data collected for BBCIC purposes to authorized individuals engaged in related BBCIC activities. Data transfer from external sources to Research Partners is done in keeping with customary standards of secure file sharing (e.g., encrypted Secure File Transfer Protocol).

2.5.3 Research Partner Data

Research Partners are not to share direct patient identifiers with the other Research Partners or BBCIC and must adhere to the HIPAA minimum necessary standard (see Policy 2.2.2 Individual Health Information). Data are provided by Research Partners in summary (i.e., aggregate) form unless there is a specific need for person-level information. Example: person-level information might include information (stripped of direct patient identifiers) regarding individuals who received specific vaccines on specific dates when such information is required to respond to a particular BBCIC query.

The Primary Project Research Partner or Research Team shares de-identified results with the BBCIC at the individual Research Partner level and aggregated across all Research Partners. Under most circumstances, Research Partners are not identified when information is provided to the BBCIC or project workgroups. Access to the non-summarized data (identifying a Research Partner and/or individual patient) is limited to authorized individuals such as outside individuals participating in workgroups related to task orders.

2.5.4 Data Transfer

Data transfer between Research Partners and BBCIC is done by means of a secure web-based file sharing system. BBCIC and BBCIC Research Partners comply with standards established by the HIPAA and FISMA.

2.6 Data Use Limitations

Research Partners may use their own original source data, including data transformed into Common Data Model format, for other purposes, such as research, as long as they comply with applicable state and federal laws and regulations, including HIPAA and the Common Rule.

2.6.1 Authorization to Use External Source Data

In the conduct of BBCIC activities for BBCIC research, for data obtained outside their own institutions, the Research Partners may use such data only as authorized by the external source and in keeping with all applicable data privacy regulations. Such data may not be reused, re-disclosed, altered, or sold for any purposes other than those defined in the base contracts and subsequent task order contracts without specific authorization from the external data source and the BBCIC.

Unauthorized use will be reported by the external data source, BBCIC staff, or BBCIC Research Teams to the BBCIC and the BBCIC Science Committee. The user will be allowed an opportunity to remedy the situation on terms that are satisfactory to the BBCIC Board of Managing Directors and those institutions whose data was used for the unauthorized purpose. State or Federal reporting requirements for a data breach will also need to be met by the user. Failure to follow these policies and procedures will result in the exclusion of the user from future participation in BBCIC activities.

2.6.2 BBCIC Access to Data

The BBCIC obtains unlimited rights to access and to use all BBCIC data in possession of the Research Partners and first generated in the performance of the contract for BBCIC's research. In keeping with the Confidentiality sections of the Research Partner contracts and Policy 2.9 (Confidentiality & Statement of Confidentiality), confidential, proprietary data and information submitted by or pertaining to specific institutions or organizations will not be publicly disclosed without the written consent of the respective institutions, except to the extent required by law. Access to this data is governed by relevant laws and regulations.

2.7 Data Retention

2.7.1 Research Partners

Research Partners will retain original source data in the Sentinel Common Data Model format used for BBCIC research for at least four years from the time that the project is deemed complete by the BBCIC unless instructed otherwise by the BBCIC. BBCIC will instruct the Research Partners regarding retention requirements for all data activities, including exactly what data must be retained.

Research Partners will retain data obtained from external sources to meet the needs of specific projects and data derived from these external sources for no longer than seven years after the project is deemed complete by the BBCIC unless instructed otherwise by the BBCIC. External source data will be subsequently destroyed in accordance with standards set by the National Institute of Standards (NIST) in place at that time. The

BBCIC and the Collaborating Institutions may review and revise this provision if it is determined that these data retention requirements do not adequately meet the scientific needs of BBCIC activities.

2.8 BBCIC Commitment to Transparency

The BBCIC is committed to transparency in all aspects of its research and operations. The BBCIC will communicate in a variety of ways with the external scientific and medical community and with the public. The BBCIC will observe standard academic practices and regulatory requirements regarding its obligation to report research activities and findings.

2.8.1 Report of Research Findings

The BBCIC Research Team's PI/Co-PI or Project Lead, the Science Committee, and the Communications Committee will oversee BBCIC Research Communications to ensure timely disclosure of results in peer-reviewed scientific or technical publications or presented at scientific conferences. The BBCIC will establish processes to ensure that BBCIC Research Protocol includes reporting (publication) and dissemination plans.

2.8.2 BBCIC Research Reports Transparency

All external communications regarding the BBCIC will be undertaken consistent with the BBCIC Policies covering Confidentiality, Antitrust, Intellectual Property, and Conflict of Interest (see Policy 2.9, 2.1, 2.11, and 2.10, respectively). The BBCIC requires all BBCIC Research Reports to be communicated promptly in an appropriate scientific forum.

In addition, the conduct of these Research Reports will be governed by specific additional policies and procedures, as follows:

- The Research Team will register all BBCIC Research Protocols in ClinicalTrials.gov or another relevant registry when appropriate prior to initiating the study. The Steering Committee will consider the future need for registrations in other registries, such as the EMA Post Authorization Efficacy and Safety Studies (PAES and PASS).
- The PI/Co-PIs or Project Leads are responsible for completing a Research Report within 3 months after the completion of the research. Extensions may be requested from the Science Committee. The Research Report is intended to be a comprehensive study account, including the protocol, any protocol revisions, detailed methods, and results. A copy of the draft Research Report is to be provided to the BBCIC Science Committee at least 60 days prior to submission for publication or research symposia or media presentation for comment and suggestions. This review process is required for all BBCIC Research Reports, whether draft or final. The Consortium Director has discretionary authority to reduce the duration of the pre-submission notification period on a case-by-

case basis.

- One or more abstracts and manuscripts intended for peer-review publication are expected for most studies and should be derived from the full Research Report.
- The BBCIC Science Committee may submit comments back to the authors within 10 business days, but the authors are not obligated to accept or respond to these comments. BBCIC Participants, including the BBCIC Committees, may not prevent or restrict the release of BBCIC Research Reports. The Final Research Report will be submitted to the Science Committee by the PI at least 5 days before submitting the manuscript(s) for publication.
- No less than 30 days prior to the publication submission, meeting, or media presentation, the PI will post to www.clinicaltrials.gov a standalone results table to support the presentation of key findings. (Journal editors generally accept this as not constituting prior publication.)
- The BBCIC requires that manuscripts derived from BBCIC Research Reports be submitted for publication within 6 months after the completion of the Research Report. When published, the publication will be posted on the BBCIC website. If six months have elapsed after the publication submission and the publication does not give a publication date or a release, the BBCIC Science Committee may release such results at its discretion on the BBCIC website.
- The PI of a BBCIC Research Report must notify the Consortium Director and the BBCIC Science Committee when the approved manuscript or abstract is submitted, which journal or conference was selected, and whether the manuscript or abstract/proposal was approved or rejected by the journal or conference organizers (e.g., a copy of the paper and cover letter will suffice). Notice must also be given of the proposed publication date, at least 30 days before the proposed date. Once published, a reprint or copy of the manuscript or abstract should be sent to the Consortium Director or other contact to whom s(he) delegates authority
- Where appropriate, the Research Team will report verified findings of interest to regulatory authorities (see Policy 2.14 Safety-related Findings of Interest)
- All BBCIC Research Reports will appropriately reference the BBCIC and describe the use of any BBCIC resources in the creation of manuscripts. However, in recognition of the fact that the BBCIC does not exercise editorial control over scientific communications, all BBCIC Research Reports will also include a disclaimer stating that the communication represents only the opinions of the author(s) and not necessarily those of BBCIC or any BBCIC Participants.
- The BBCIC represents a collaboration of many stakeholders in providing financial support and intellectual capital and will represent personal intellectual contributions from many sources. BBCIC Research Reports will appropriately recognize the collaborative nature of the BBCIC in general and the relative contribution of ideas and discoveries from all relevant individuals. BBCIC Research Reports will therefore reflect the International Committee of Medical Journal Editors (ICMJE) practices and requirements pertaining to group authorship except in circumstances where there is broad agreement that a specific individual or individuals are entirely responsible for relevant intellectual contribution to and composition of the BBCIC Research Report.
- Where group authorship is appropriate, the initiator of a manuscript proposal generally assumes first authorship. If an order of authorship is appropriate, s(he) should first attempt to determine such order of authorship in collaboration with others in the writing

or research group. The relevant BBCIC Committee will assist in resolving any conflicts or questions concerning the appropriate identification of authorship. The lead author should elicit specific commitment for involvement in the manuscript from the co-authors, circulate drafts for co-author input, and coordinate revisions. Selection of the journal for initial submission is the responsibility of the writing group.

- Disclosure of Payments to Healthcare Professionals. The BBCIC Consortium Director will ensure that BBCIC Research Reports appropriately disclose payments to healthcare professionals and financial reporting requirements (see Policy 2.10 Conflict of Interest Policy & Compliance).
- The BBCIC Consortium Director and Chairperson of the BBCIC Steering Committee must review and approve all BBCIC press releases pertaining to BBCIC Research Reports.

2.8.3 Press Releases and other Communication (not including Research Reports)

Aside from the BBCIC Consortium Director, designated BBCIC staff, and the Chairperson of the BBCIC Steering Committee, no BBCIC Participant or Supplier will be authorized to speak publicly on behalf of the BBCIC without the prior approval of the Consortium Director. FDA and other governmental authorities will not be authorized to speak on behalf of BBCIC. BBCIC will have no control over external communications that authorities may make about BBCIC or its activities, except regarding information protected from public disclosure under applicable law, such as information submitted to FDA in an Investigational New Drug (IND) filing.

2.9 Confidentiality & Statement of Confidentiality

2.9.1 Confidentiality Policy

All Confidential Information (defined below) is privileged and strictly confidential. It is the policy of the BBCIC that all BBCIC Board of Managing Directors, BBCIC staff, all Participant Organizations on the BBCIC Committees, BBCIC Working Groups, and all others serving in connection with the BBCIC (collectively, "Individuals") must maintain the confidentiality of all Confidential Information and only use such Confidential Information in connection with the BBCIC. As this policy refers to Participant Organizations, it is understood that sharing of BBCIC information within the Participant Organization will occur to develop strong research. This Confidentiality Policy is not intended to prevent disclosure where disclosure is required by law.

Individuals must exercise good judgment and care at all times to avoid unauthorized or improper disclosures of Confidential Information. Conversations in public places should be limited to matters that do not pertain to Confidential Information or other information of a sensitive or confidential nature. In addition, Individuals should be sensitive to the risk of inadvertent disclosure and should, for example, refrain from leaving Confidential Information on desks or otherwise in plain view where unauthorized persons could see it.

The communication of confidential information to FDA or other government authorities, and to their employees and representatives, may result in the information becoming publicly disclosable by those authorities. Confidential information cannot be shared with such authorities or their employees or representatives without the approval of the Steering Committee.

Each Individual must certify, in writing, that he or she will not disclose to or discuss Confidential Information with anyone, including any governmental organization that has not been officially designated to participate in the BBCIC, unless such disclosure is specifically authorized by the BBCIC Consortium Director in writing in advance (see Policy 2.9.2 Annual Attestation of Confidentiality). Where specific Confidential Information includes data or information provided by or relating to any Participant Organization or its business or product(s), such Participant Organization's written authorization must also be obtained before disclosure of any such information to any governmental agency or authority [or any other party who is not an Individual]. In the event that any individually identifiable health information is collected by Individuals, Individuals must comply with all applicable federal requirements governing the use of such information, including but not limited to the HIPAA.

For purposes of this Confidentiality Policy and the accompanying Statement of Confidentiality, "Confidential Information" means documents, associated materials and information provided by /to Individuals in connection with the BBCIC, materials prepared by reviewers in connection with the peer review process, and discussions and communications (whether written or oral) associated with the BBCIC; provided, however, that any of the foregoing that (i) can be demonstrated to have been in the public domain or publicly known at the time of disclosure to the Individual; (ii) can be demonstrated to have been in the possession of or that can be demonstrated to have been readily available to the Individual from another source prior to disclosure thereto in connection with his or her association with BBCIC; (iii) becomes part of the public domain or publicly known by publication or otherwise, not due to any unauthorized act by the Individual; (iv) can be demonstrated to have been independently developed or acquired by the Individual without reference to or reliance upon such Confidential Information; or (v) is required to be disclosed by law, shall not be deemed to be Confidential Information. When distributing information among Individuals, it is the responsibility of the Individual distributing the information to determine whether such information is its Confidential Information and to clearly label all Confidential Information as such. Failure to label should not neutralize rights nor excuse disclosure and misuse.

For purposes of this Confidentiality Policy and the accompanying Statement of Confidentiality, "Confidential Information" does not include published and final BBCIC Research Reports, published and final BBCIC Research Protocols, published and final BBCIC Research Symposia, and published and final Media Presentations (see Policy

2.8.2 BBCIC Research Reports Transparency).

2.9.2 Annual Attestation of Confidentiality

Each Individual (as defined in Policy 2.4.1) must complete the following Statement of Confidentiality at the start of their term and annually each August.

Statement of Confidentiality

I, the undersigned, have read and understand the **Confidentiality Policy for the Biologics and Biosimilars Collective Intelligence Consortium** (the "BBCIC Confidentiality Policy") and agree to comply with and be bound by it. I agree to treat as confidential all Confidential Information to which I am exposed, or which is made available to me in connection with BBCIC activities, and I will not use such Confidential Information for my own benefit or profit. In addition, I will not share such Confidential Information with others beyond my organization unless specifically instructed or authorized to do so in writing by BBCIC and as applicable by the Participant Organization(s) to whom such information relates. I agree to destroy or return all Confidential Information in written form upon request.

I further agree to comply with all federal requirements, where applicable, governing the use of any individually identifiable health information, including but not limited to the Health Insurance Portability and Accountability Act of 1996.

I further understand that any breach of the BBCIC Confidentiality Policy could result in irreparable injury and damage to individuals involved in the process or the BBCIC, for which the individual and the BBCIC may have no adequate remedy at law, and that, upon such breach, the BBCC and the relevant individual may be entitled to seek injunctive relief in addition to any other remedy to which it may be entitled at law or in equity.

_____	_____	_____
Name (Please Print)	Signature	Date

2.10 Conflict of Interest Policy & Compliance

2.10.1 BBCIC Conflict of Interest and Disclosure Policy

Disclosure of Personal Involvements and Other Matters Potentially Affecting Service on and Participation in the Activities of the Board of Managing Directors, BBCIC Committees (BBCIC Boards and Committees), and all others serving in connection with the BBCIC (collectively, "Individuals")

Introduction

The BBCIC, LLC accords special importance to the established policies and procedures for assuring the integrity and hence the confidence in the deliberations and decisions of its appointed Board of Managing Directors as well as the activities undertaken by other BBCIC governance groups. The BBCIC Board of Managing Directors recognizes that the credibility and acceptance of decisions and actions by the BBCIC Committees can be undermined by allegations of lack of objectivity, conflict of interest, or misconduct on the part of its governance groups.

If decisions and activities of the BBCIC Board of Managing Directors and Committees are to be accepted, respected and effective, they must be and must be perceived to be:

- Free of any significant conflict of interest, and
- Not compromised by bias, and
- Untainted by allegations of professional misconduct.

This policy addresses the above issues by examining the question of potential sources of bias and conflict of interest in the activities of the BBCIC Board of Managing Directors and the BBCIC Committees and the question of participation by persons who are subject to formal investigations of allegations of professional misconduct in the activities of the BBCIC Committees.

2.10.1.1 Defining "Bias" and "Conflict of Interest"

Bias - The question of potential sources of "bias" ordinarily relates to views or positions taken that are largely intellectually motivated or that arise from the close identification or association of an individual with a particular point of view or the positions or perspectives of a particular group. Such potential sources of bias are not necessarily disqualifying. Indeed, it often is necessary, in order to ensure that the BBCIC Boards and Committees are fully competent, to have the BBCIC Boards and Committees comprised in such a way as to represent a balance of potentially biasing backgrounds or professional or organizational perspectives.

Conflict of Interest - It is essential, however, that the work of BBCIC Boards and Committees not be compromised by any significant conflict of interest, or in some circumstances the appearance of a significant conflict of interest, on the part of any Participant of the BBCIC Boards and Committees or anyone associated with the work of a Committee (e.g., volunteers, consultants, staff, etc.). For this purpose, the term "conflict of interest" means any financial or other interest which conflicts with the service of an individual because it (1) could impair the individual's objectivity or (2) could create an unfair competitive advantage for any person or organization. The existence of a significant conflict of interest ordinarily disqualifies an individual from service.
Potential bias and conflict of interest are considered in the selection process for Individuals of the BBCIC Boards and Committees. They are also considered thereafter

with respect to specific deliberations, activities, and decisions as the BBCIC Boards and Committees engage in the performance of their respective responsibilities.

2.10.1.2 Guidelines

The diversity and complexity of the BBCIC's work make it difficult to establish complete, all-encompassing rules that will anticipate and address every possible situation involving bias or conflict of interest. The following guidelines addressing commonly occurring situations are provided as an aid to defining and identifying possible bias or conflict of interest in connection with the BBCIC staff and BBCIC Boards and Committees as well as other functions and activities of the BBCIC.

Individual Economic Impact - Actions taken by the BBCIC may sometimes result in an economic benefit or loss to particular individuals or entities. In those instances where the BBCIC Boards or Committee participants are employed by or connected with the entity that may be directly or indirectly affected economically and there is the potential of an indirect economic impact on the individual or on others with whom the individual is associated or related (including the entity), this would normally constitute a possible source of bias. In these circumstances, the existence of possible bias would not ordinarily disqualify an individual from service but would be a factor to be taken into account.

But where the potential economic effect on the BBCIC Boards and Committees participants or on others with whom the individual is associated or related is substantially more direct and immediate, there may be a conflict of interest. An individual should not participate in a BBCIC deliberation, decision, or activity (including policy recommendations or other similar advice) in which there is a significant possibility that such deliberation, decision, or activity would have a direct and substantial impact on the individual, on others with whom the individual is closely associated (including the entity), or on any person with whom the individual has a close personal relationship, e.g., spouse, child, parent, etc. In addition, an individual should not participate in a BBCIC deliberation, decision, or activity where an independent observer could reasonably conclude that the individual's objectivity could be compromised because of its potential economic impact. (There may be cases where the Boards or Committees may specifically want this individual's input into some or all of the discussion but would require that the individual recuse themself from the vote or decision.)

Proprietary Information - BBCIC Boards and Committees participants employed by or associated with a particular group should not be given access to proprietary information (e.g., trade secrets, confidential financial information, etc.) of a competitor or potential competitor unless appropriate safeguards have been established that reasonably protect the interests of all parties. Otherwise, such access may create an unfair competitive advantage, as well as possible legal liability for improper disclosure

or use. In situations involving access to proprietary information, the matter should be referred to the BBCIC Board of Managing Directors and Consortium Director for guidance.

Public Statements and Positions - A BBCIC Boards and Committees participant may have become committed to a fixed position on a particular issue through public statements, through publications, through close identification with the positions or perspectives of a particular group, or through other personal or professional activities. This would ordinarily constitute a potential source of bias. In extreme situations -- e.g., where the individual is an officer of another organization that espouses the same position on the issue -- the situation may constitute a conflict of interest. In those situations, the matter should be referred to the President of the BBCIC Board of Managing Directors or Consortium Director for guidance.

Designing or Implementing Procurements - The BBCIC may, from time to time, make arrangement for the procurement of services or goods. To avoid possible conflicts of interest, any BBCIC Board or Committee participant who is employed in any capacity by, or who has a financial interest in or other economic relationship with, any organization that may seek an award under such a procurement -- as well as any individual who may seek such an award directly on their own behalf -- may participate in discussion and decision regarding such procurement only after the following requirements have been met: (1) the BBCIC Board of Managing Directors or Consortium Director must be informed of such circumstances, and (2) the individual or organization must be advised that, to avoid creating an unfair competitive advantage, the individual's participation may cause the procurement group to limit the participation of the individual and/or the eligibility of the individual or organization to seek an award. The individual involved should recuse themself from the decision-making process.

Access to BBCIC Information - The opportunity to have access to sensitive BBCIC information during the course of volunteer activities at the BBCIC may confer an unfair competitive advantage if abused or misused. A BBCIC Board or Committee participant should not participate in any activity involving sensitive BBCIC information if the individual intends to use, or uses, such information for their own direct and substantial economic benefit. The same rule applies if the individual intends to disclose, or discloses, such information to other individuals or to organizations in such a manner that a direct and substantial economic benefit may be conferred on such individuals or organizations.

The restrictions described above do not apply to information once it has entered the public domain. In specified situations (e.g., confidential financial, strategic, and proprietary information), special limitations on access to and use of BBCIC information will be required.

Reviewing One's Own Work - Where a publication or work product of a BBCIC Board or

Committee Individual is reviewed as part of the general activities of the BBCIC Board or Committee on which the Individual serves, the participation of the BBCIC Board or Committee Individual in that activity would not ordinarily constitute a source of bias or conflict of interest. However, an individual should not participate in an activity of a BBCIC Board or Committee when a critical review and evaluation of the individual's own work or that of his or her immediate employer is the central purpose of the activity, but such BBCIC Board or Committee Individual may provide relevant information to the Board or Committee.

The guidelines set forth above are intended to address common situations and to convey a sense of the manner in which situations not specifically addressed above will be handled. Any other situation involving "bias" or "conflict of interest," as those terms are generally defined above, is also subject to this policy.

2.10.1.3 Procedures for Addressing Possible Bias and Conflict of Interest

The BBCIC follows a procedure that seeks to (1) guard against conflict of interest and unreasonable bias, (2) maximize the credibility of its work, (3) identify situations where an individual's service in a particular capacity would be inappropriate, and (4) provide the BBCIC with timely information that permits it to defend it and its credibility and reputation against allegations of bias or conflict of interest.

The request for disclosure of information relating to possible bias and conflict of interest is not intended to challenge the personal integrity of any individual. It is designed to elicit only such information as is relevant and merits disclosure in light of the bias and conflict of interest policy set forth above. The responsibility for determining what information must be reported rests in the first instance with the individual, in reliance upon the individual's own sense of integrity and good judgment.

Individuals serving on the **BBCIC Board of Managing Directors and BBCIC Committees** are required upon their selection and then annually to complete a Statement of Disclosure Form listing relevant relationships, interests, and positions taken that may constitute a potential source of bias or conflict of interest within the meaning of this policy. The Forms are to be submitted to the BBCIC's Consortium Director and will be considered by the BBCIC as confidential except that (1) they will be distributed for review by the BBCIC **Board of Managing Directors.** The review will take place annually at the first meeting of each fiscal year so that the BBCIC **Board of Managing Directors** may discuss the general questions of bias and conflict of interest, and the relevant circumstances of individuals serving on that specific governance group; (2) they may be released, on a privileged basis, if an Individual of the Board so requests when there is a potential question of bias or conflict of interest regarding a specific matter before the BBCIC Board of Managing Directors or Steering Committee and if the President of the BBCIC Board of Managing Directors and the Consortium Director concur; (3) an individual's Form may be released with the approval of that individual who completed

the Form; and (4) they may be released when such release is required by law.

If, in the course of the BBCIC Board of Managing Directors and its Committees' consideration of a matter, questions arise regarding the existence on the part of an Individual of bias and/or conflict of interest, the affected Individual may recuse themself from the discussion, or the individual serving as Chair may direct that the affected Board Individual be excused from that portion of the meeting during which the issue is being addressed. If the affected Individual is the Chair, s(he) may recuse themself from that portion of the meeting during which the issue is being treated, or the Board, based upon a positive vote on the part of a majority of the Board Individuals present, excluding the individual serving as chair, may direct that the individual serving as chair be excused from that portion of the meeting.

If previously unknown relationships, interests, and positions revealed by the Forms or through Board discussions raise questions, the matter should be brought President of the Board of Managing Directors or the Consortium Director, who will take them up with the individual involved. If questions persist, the final decision regarding a particular individual's service with respect to a matter under consideration by the Board rests with the President of the BBCIC Board of Managing Directors or the Consortium Director.

2.10.1.4 Procedures for Committee and Working Group Individuals

Individuals appointed to Committees are required to become familiar with the BBCIC Governance Manual. Committee Participants should make known to the committee chair or the BBCIC's Consortium Director any relevant connections and interests and any relevant positions taken that may constitute potential sources of bias or conflict of interest within the meaning of this policy in light of the tasks to be undertaken by the Committee or Work Group.

Each BBCIC Committee is required at their initial meeting and annually thereafter to review the BBCIC's policy on conflict of interest, and the relevant relationships, interests, and positions taken by an individual Committee member that may constitute a potential source of bias or conflict of interest; Committee members should be asked if they have any conflicts of interest to report.

If, in the course of the Committee's consideration of a matter, questions arise regarding the existence on the part of an Individual of the Committee of bias and/or conflict of interest, the affected Committee Individual may recuse themself from the discussion, or the Committee Chair may direct that the affected Individual be excused from that portion of the meeting during which the issue is being addressed. If the affected Committee Individual is the Chair, the Chair may recuse themself from that portion of the meeting during which the issue is being treated, or the Vice Chair (or designee), acting with a positive vote on the part of a majority of the remaining

Committee Individuals, may direct the Chair to be excused from that portion of the meeting.

If previously unknown relationships, interests, and positions be revealed through Committee discussions that raise questions, the Committee chair will take them up with the individual involved. If questions persist, the final decision regarding a particular individual's service with respect to a matter under consideration by the Committee rests with the President of the BBCIC Board of Managing Directors.

2.10.1.5 Procedure for Addressing Allegations of Professional Misconduct

Allegations of professional misconduct may also undermine the credibility and acceptance of decisions and actions by the BBCIC Boards and Committees. In the event that an individual serving on a Board or a Committee is notified by their employer or by a federal or state regulatory agency that they are the subject of a formal investigation for professional misconduct, the individual is required to inform the BBCIC Consortium Director, or if the BBCIC is notified through other means that a formal investigation for professional misconduct is being conducted, the BBCIC Consortium Director, who, in consultation with the affected Individual and others as appropriate will determine if the allegations raise concerns about the ability of the individual to effectively perform the function of the position held within the BBCIC. Should the Consortium Director, in consultation with the Board, conclude that continued service would jeopardize the BBCIC, pending final resolution of the formal investigation for professional misconduct, the Individual may be asked to recuse themself from specific issue discussions, resign, or be removed by the Board. If the individual is determined to have not engaged in professional misconduct, they will be asked to resume their position of Board or Committee service.

The BBCIC will consider information related to alleged professional misconduct as confidential. Access to such information within the BBCIC will be restricted to those individuals who are required to be informed by virtue of their official responsibilities. Such information will be disclosed outside the BBCIC only with the approval of the affected individual, or as required by applicable government regulations, or as otherwise required by law.

2.10.2 BBCIC Conflict of Interest Statement of Disclosure

The BBCIC requires that each participant of its Board of Managing Directors and Committees submit to the Consortium Director a disclosure statement annually and upon change of employment. This process discloses a participant’s relationship with other organizations that may lead to a potential conflict of interest. A conflict of interest would exist when a Board participant has a connection to another organization such that s(he) would have a direct or indirect interest in a transaction with BBCIC, or their duty to remain loyal to an act at all times in the best interests of BBCIC and its

Individuals would be hampered or compromised. Please list below the organization(s) with which you have a connection as that term is defined in this Statement, the nature of the connection, and the number of years you have had the connection. (Attach a sheet of paper if additional listings are required.)

Statement

As a participant of the BBCIC Board of Managing Directors and the BBCIC Committees, I duly disclose to the Biologics and Biosimilars Collective Intelligence Consortium a listing of organizations that may lead to potential conflicts of interest with the interests of BBCIC and its participants. This is required of me under the *BBCIC Conflict of Interest Policy* as a means to identify potential conflicts of interest during my tenure as a participant on the:

____BBCIC Board of Managing Directors
____BBCIC Steering Committee
____BBCIC Science Committee
____BBCIC Communications Committee

Organization	# of Years	Connection

I understand this document is confidential and may only be reviewed by the BBCIC's Board of Managing Directors.

Name (Signature)	Date	Participation Year
Name (Please Print Below)		

Please submit, in confidence, to Consortium Director, via US Postal Service mail or an alternative, secure means.

2.10.3 BBCIC Conflict of Interest Policy for Government Employees

The BBCIC Board of Managing Directors may determine, in its sole discretion, that the BBCIC Conflict of Interest Policy does not apply to an individual who is a government employee if (i) the individual is subject to other conflict of interest restrictions under applicable federal regulations or policies, and (ii) in the judgment of the BBCIC Board of Managing Directors, such other regulations or policies are adequate to address

potential conflicts of interest that may arise in connection with the individual's role.

2.11 BBCIC Intellectual Property

Participants shall not contribute or disclose to BBCIC or any contractor (i) any proprietary trade secret or (ii) property that is covered by patents or patent applications.

Consistent with the mission of BBCIC, any end product, including reports, studies, and/or white papers, is intended to be published and shared publicly, and that no individual or Participant Organization shall assert any claim, including ownership, in copyright or otherwise over or to any such work.

BBCIC Research Reports will appropriately recognize the collaborative nature of the BBCIC in general and the relative contribution of ideas and discoveries from all relevant individuals. BBCIC Research Reports will therefore reflect the International Committee of Medical Journal Editors (ICMJE) practices and requirements pertaining to group authorship except in circumstances where there is broad agreement that a specific individual or individuals are entirely responsible for relevant intellectual contribution to and composition of the BBCIC Research Report. All BBCIC Research Reports will appropriately reference the BBCIC and describe the use of any BBCIC resources in the creation of manuscripts. However, in recognition of the fact that the BBCIC does not exercise editorial control over scientific communications, all BBCIC Research Reports will also include a disclaimer stating that the communication represents only the opinions of the author(s) and not necessarily those of BBCIC or any BBCIC Participants. In addition, The BBCIC Consortium Director and Chairperson of the BBCIC Steering Committee must review and approve all BBCIC press releases pertaining to BBCIC Research Reports.

2.11.1 Treatment of Intellectual Property Created as a Result of the BBCIC

Certain types of intellectual property may be generated in the course of pursuing BBCIC objectives, including but not limited to, analysis methods for screening and evaluating observational data, processes for integrating and interpreting screening and evaluation results, and white papers and other materials intended for publication. Ownership of such types of intellectual property shall be governed by the Table 1, "Intellectual Property (IP) Generated by the BBCIC Project."

Table 1. Intellectual Property (IP) Generated by BBCIC

Intellectual Property	Creator	Ownership

Charter	BBCIC	BBCIC
Annual Research Plan	BBCIC	BBCIC
Research Topic Nomination	BBCIC	BBCIC
Research Synopsis	Research Team	BBCIC
Research Protocol	Research Team	BBCIC
Study Report	Research Team	BBCIC
Publications	Research Team/Writing Team	Authors
Software Tools	Research Partners	Research Partners
Common Data Model	Research Partners	Research Partners
Statistical Methods	Research Team	Authors
Research Partner and Other Contracts	BBCIC	BBCIC
Distributed Databases	Research Partners	Research Partners
Distributed Research Network Processes (e.g., Data Management, Data Quality, Query Fulfillment, etc.)	Research Partners	Research Partners
Testing Process and Environment	Research Partners	Research Partners

To the extent any Intellectual Property not set forth in Table 1 is authorized, created, conceived, reduced to practice, or developed jointly by BBCIC and Participant, such Intellectual Property shall be owned jointly by BBCIC and its Participants. The foregoing shall only apply to the joint work (as a whole). Any rights in any contributed BBCIC information or materials shall remain solely the property of BBCIC, and Participant shall have only a limited right and license to use such BBCIC information or materials only for the purposes of, in accordance with, and during the term of this Agreement. BBCIC and Participant shall promptly disclose any such joint Intellectual Property to the other, and each shall keep any information related thereto confidential in accordance with the confidentiality obligations herein:

- Each Participant may provide de-identified data and other information ("Data") to BBCIC and/or one or more contractors as part of its participation in the BBCIC; Such Data shall not be used by BBCIC, AMCP, or any individual for any purpose other than the purpose defined in this Agreement.
- During the term of this Agreement, Participants will provide to BBCIC a royalty-free,fully paid-up, non-exclusive, worldwide license to use the works, trademarks, and/or inventions which have been provided by Participant to BBCIC in the course of the Participant's participation in the BBCIC solely to the extent reasonably necessary to accomplish the mission of BBCIC.
- During the term of this Agreement, BBCIC provides to its Participant a royalty-free,fully paid up, non-exclusive, worldwide license to use, reproduce, and display the Intellectual Property authored, created, conceived, reduced to practice or developed by the BBCIC

pursuant to this Agreement for any purpose consistent with BBCIC'smission.

Certain types of pre-existing data, know-how, and intellectual property may be contributed by or acquired from a Participant in order to achieve the BBCIC's objectives,including but not limited to:

- Methods or processes for extracting, structuring, or normalizing large databases into a common framework and technical infrastructure for housing data and facilitating analyses
- Databases or other information technology assets
- Analysis methods for screening and evaluating observational data, as well as processes for integrating and interpreting screening and evaluation results

The following terms will govern the use of pre-existing data, know-how, and intellectual property:

- Participants in the BBCIC will retain full ownership of pre-existing data, know-how, and intellectual property they contribute to the BBCIC.
- Each Participant will grant to BBCIC and other Participants, as necessary, a limited, non-exclusive, royalty-free, and remuneration-free license to use each Participant's relevant pre-existing data and intellectual property only for research purposes and only in connection with the carrying out of the mission of the BBCIC.
- Neither the BBCIC nor any BBCIC Participants will gain any ownership rights to pre-existing data, know-how, and intellectual property of Participant or any other party solely as a result of Participant or parties' participation in the BBCIC, and those non-exclusive rights will cease at the termination of the BBCIC.
- Pre-existing data know-how and intellectual property contributed to the BBCIC may be governed by confidentiality and other specific agreement terms as necessary.
- In cases where goods and services are procured on commercial terms for the BBCIC from third-party contractors, the BBCIC will negotiate all terms governing existing intellectual property and document these terms in the supplier contract.

To the maximum extent possible, and subject to the public health goal limitations imposed by the section below, any BBCIC invention (any subject matter and discovery patentable or otherwise protectable under Title 35 of the United States Code that is conceived or first reduced to practice in the conduct of the BBCIC) will be placed in the public domain and made freely available for use. For example, broad availability of analytical methods, tools, and best practices for screening and evaluating observational data that might arise from the BBCIC are likely to be considered useful to assure the public health and would be expected to follow this principle.

- If making a BBCIC invention freely available will not advance the public health, the BBCIC Board of Managing Directors, solely in its discretion, may agree to enable a means to ensure intellectual property protection. Such instances may include but are not limited to, the need to protect information technology know-how or other intellectual property that could be important to incentivize longer-term or larger scale information technology

investments necessary to enable a nationwide observational outcome system.

- In the above circumstances, Participants agree that plans and terms will be negotiated between the inventing party(ies) and the BBCIC and will be subject to the approval of the BBCIC Board of Managing Directors to ensure that the public benefit is achieved. It is anticipated that such terms would include, at a minimum, a remuneration-free non-exclusive license to the BBCIC with the right to transfer or sublicense the license to another nonprofit entity that will further the use of observational data to strengthen the monitoring of medical product safety post-approval, if applicable, at the conclusion of BBCIC.
- In cases where goods and services are procured on commercial terms for the BBCIC from third-party suppliers, the BBCIC will negotiate all terms governing intellectual property created during the course of the contract. These terms will, at a minimum, include granting the BBCIC a remuneration-free non-exclusive license to use of the intellectual property with the right to transfer the license to another nonprofit entity that will further use of observational data to strengthen the monitoring of medical product safety post-approval, if applicable, at the conclusion of BBCIC.
- BBCIC Participants and contractees will not be forbidden by virtue of their participation in the BBCIC to challenge the validity or enforceability of patents or other intellectual property of other BBCIC Participants, grantees, and contractors, including patents or intellectual property arising from BBCIC activities.
- At the conclusion of the BBCIC, the BBCIC Board of Managing Directors will dispose of or transfer any intellectual property or data that the Coordinating Center acquires as a result of BBCIC according to Policy 2.7 Data Retention and the BBCIC Operating Agreement (see Policy 9 Winding Up and Distribution upon Dissolution).

2.12 BBCIC Participant Code of Conduct

The BBCIC Participant Code of Conduct promotes and supports transparency and scientific independence throughout the research process of BBCIC studies. By applying the principles of transparency and scientific independence, the Code aims to strengthen the confidence of the general public, researchers, and regulators in the integrity and value of BBCIC research.

The Code of Conduct sets out rules and principles for studies, primarily non-interventional observational studies.

The Code does not provide rules or guidance on methodological aspects or scientific standards to be used for specific studies or study types. Adherence to the principles of this Code of Conduct will increase the trust of stakeholders that they have full information on which to base the assessment of the study findings.

The main principles of the Code of Conduct are scientific independence, declarations of interests, and transparency.

2.12.1 BBCIC Individuals Code of Conduct

Investigators and Individuals commit to adhere to these principles:

- The primary purpose of a study shall be to generate data of potential scientific or public health importance and not to promote or counter-promote the sale of a medicinal product;
- The design of the research shall not be aimed toward producing a pre-specified result;
- The results of a study shall always be published, preferably in a peer-reviewed journal, or made available for public scrutiny within an acceptable time frame, regardless of the (positive or negative) results and the statistical significance; the BBCIC Website should be used as a repository for all final research reports including those pending publication and those not published in a peer-reviewed journal in the ways specified in the Research Protocol, and will reference the final publication; and

Scientific Independence

For all studies, whether (partially) financed from external sources or not, the following principles of scientific independence apply in addition to the general provisions above:

- The highest level of scientific independence is desirable from agreeing to the research plan through to protocol development, implementation of research, data analysis, and publication of results;
- Remuneration for services provided shall only be granted at fair market value, as specified in the research contract, and shall not depend on the study results;
- The Research Protocol must be designed to ensure scientifically valid and sound results are generated independently from any potential conflicting interests of the funder or the researcher.

Declaration of Interest

The research team members to be involved in the conduct of a study, namely the PI/Co-PI or Project Lead, the data and study managers, and the main statistician, as well as the future authors of the study report and any publications arising from the research shall declare existing direct and potential indirect interests of a commercial, financial or personal nature that might impact their impartiality in relation to the study. (See Policy 2.10 Conflict of Interest for additional information)

Transparency

The highest level of transparency on relevant information pertaining to the study should be ensured. This includes information on the Research Protocol and the publication of study findings. Access to this information should be provided as required in the Code to regulators, health care professionals, the scientific community, patients, and the general public, as appropriate. As observational studies, BBCIC Safety and

Effectiveness Research Protocols will be registered at Clinicaltrials.gov. (See Policy 2.8 Commitment to Transparency)

2.13 BBCIC Policy on Research Activities and Approvals

2.13.1 BBCIC Annual Research Plan

The BBCIC will establish a BBCIC Research Plan using the following process:

Figure 2. Process for Research Plan Development, Approvals, and Conduct

- BBCIC Research Priorities are decided by consensus by all active participants.
- At least annually, the Consortium Director will issue a call to all active participants to submit Research Topic Requests (RTRs; refer to the BBCIC Research Topic Request Template for more detail - #BBCIC-PP-2021-0029). This allows all participants a unique opportunity to guide BBCIC research by proposing topics or research questions of interest for consideration. RTRs are de-identified with respect to the submitter and their organization prior to delivery to the Science Committee for review.
- Science Committee members are provided with all submitted RTRs allowing a minimum of ten (10) business days for review prior to discussion at a Science Committee meeting. Committee members are expected to review each RTR for feasibility, impact, and uniqueness according to the BBCIC Rubric for Evaluating Priorities (#BBCIC-PP-2020-0005).

Scores will be returned to the Consortium Director, aggregated, and returned to the Science Committee to establish the Annual Research Priorities.

- The finalized Annual Research Priorities are sent to the Steering Committee members to review in terms of scope, timeliness, and appropriateness. Specifically, the Steering Committee will ensure that the proposed research projects align with the research scope and strategic direction of BBCIC. They will also consider the timeliness and importance of the research topics according to known gaps and needs of the scientific and clinical community. They will also assess whether the proposed priority order is appropriate for accomplishing BBCIC strategic goals.
- After Steering Committee review, the Board of Managing Directors (BOMD) will review the final Annual Research Priorities focusing on scope and budget. Specifically, the BOMD will also ensure that the proposed research projects align with the research scope and direction of BBCIC and will also review and approve the research operating budget associated with the proposed priority list.
- The approved Annual Research Plan guides the timeline for conducting BBCIC research.
- The Consortium Director is responsible for preparing a Request for Proposal (RFP) or overseeing its preparation by the BBCIC or other appropriate party to identify the PI/Co-PI or Project Lead Team to lead the project. The RFP will include a framework for the Statement of Work (SOW) and timeline according to the BBCIC SOW Template (in preparation) to ensure alignment with the needs and capabilities of BBCIC and to define expectations and deliverables. PI/Co-PI Teams who wish to respond to the RFP for consideration will provide a complete Statement of Work (SOW), including a budget and timeline.
- The Consortium Director selects the PI/Co-PI Team to lead the project and executes contracts as necessary.
- When BBCIC is prepared to launch a research project, the Consortium Director will solicit all active BBCIC participants for volunteers interested in serving on the Research Team for that project. This may include external experts (e.g., clinical experts) when appropriate and necessary. Participant organizations may nominate Research Team members. For some projects, the Research Team may be established to fully define the study plan prior to identifying the PI/Co-PI Team.
- Once selected, the PI/Co-PI Team will work closely with the Research Team to prepare a detailed Study Protocol.
- The Science Committee is provided a minimum of ten (10) business days to review the Study Protocol and will vote to approve it, allowing the study to move forward.
- If further contracts are needed, the Consortium Director prepares and oversees their execution.
- The Science Committee will review and approve any substantive changes to the Study Protocol throughout the study process.
- The PI/Co-PI Team and the Research Team are expected to provide quarterly progress reports to the Science Committee and the Steering Committee. This may include a presentation at one of those committee meetings.

2.13.2 Categories of Research in the Annual Plan

BBCIC Safety and Effectiveness Research

BBCIC Research Teams will write formal Research Protocols and conduct studies to answer specific research questions. The research protocols to be included in the Annual Research Plan will be based on the biosimilars most likely to be approved in the coming year, or other research topics of relevance and timeliness that fall within the BBCIC scope. The Science Committee will appoint Research Teams to develop Protocols with specific research questions. A general Research Protocol template will include:

- Drug/Drug Class description
- Study Design and Analytical Tool Selection
- Cohort Identification
- Exposures
- Outcomes of Interest
- Pre-defined Covariates
- Analysis Plan
- Plan for Follow-Up of Findings of Interest
- Appendices or References

BBCIC Descriptive Analysis Protocols

The Science Committee will prioritize descriptive analyses that support the characterization of populations, including outcomes of interest, for biologics, including biosimilars of interest. These Protocols will provide information necessary to prepare for upcoming annual Safety and Effectiveness Research Protocols and to address data gaps.

2.14 BBCIC Policy on Safety-Related Findings of Interest

Definitions. A 'finding of interest' is defined as *"information that arises from an observational study, which suggests a new potentially causal association, or a new aspectof a known association, between an intervention and an event or set of related events, either adverse or beneficial."* Any identification by the BBCIC Research Team of a potential safety-related finding of interest will be based on the Research Protocol, which will explicitly pre-specify the clinical expert judgment, epidemiologic and statistical thresholds required to identify a safety-related finding.

2.14.1 Assessing the Validity of a Safety-Related Finding of Interest.

The Research Protocol will also include a plan for assessing findings of interest to ensure their validity. It will describe possible threats to validity, possible secondary analyses, and plan for quantitative bias analysis based on the threats to validity

anticipated. The assessment plan follows a 3-step process:

- **Review.** Data and clinical validity, descriptive statistics, and analytic computer programs will be reviewed to ensure errors that would affect the findings were not introduced. If this does not rule out the finding of interest, then:
- **Secondary Analyses**. Possible secondary analyses will be considered and run where appropriate. These may include adjusting the exposure period, consideration of additional confounders, consideration of additional comparator groups, and stratification of the cohort by disease/condition or other relevant population characteristics. If, after this step, the finding of interest persists, then:
- **Tertiary Analysis.** Among other analyses, possible sources of quantitative bias will be considered in order to quantify the influence of systemic error on risk estimates.[1]

2.14.2 Process for Informing the Science Committee of a Safety-Related Finding of Interest.

The Research Team will notify the BBCIC Science Committee within 3 days of its decision to begin an assessment of the potential safety-related finding of interest. The first notice will summarize the evidence supporting a potential finding of interest and the date for beginning the Review. Within 3 days of completing the Review, the Research Team will notify the BBCIC Science Committee of its Review findings and, if applicable, notify them that it is beginning Secondary Analyses. Within 3 days of completing the Secondary Analyses, the Research Team will notify the BBCIC Science Committee of its Secondary Analyses findings and, if applicable, notify them that it is beginning a Tertiary Analysis. Within 10 days of completing the Tertiary Analyses, the Research Team shall interpret and report its findings to the Science Committee, along with recommendations for further study and action if needed. The Science Committee or Research Team may call a meeting to discuss an update and recommended best steps. The Science Committee may review and provide comments but shall not have the authority to approve or deny the Research Team's planned next steps with the exception of instances where the protocol has been changed (i.e., introducing new data or methods.)

2.14.3 Informing licensed manufacturers of a Safety-Related Finding of Interest

The Science Committee shall, upon receipt of Tertiary Analyses reports from the Research Team of a supported finding of interest from the Research Team, contact the relevant manufacturer's pharmacovigilance team to report the BBCIC's findings. A finding of interest will be considered supported when the process of evaluating the data has suggested that the available documentation contains sufficient evidence suggesting the existence of a new potentially causal association or a new aspect of a

[1] McClure DL, Raebel MA, Yih WK et al. Mini-Sentinel methods: framework for assessment of positiveresults from signal refinement. Pharmacoepidemiology and Drug Safety 2014; 23(3–8). DOI: 10.1002/pds.3547

known association. The findings will be in the form of aggregated, cohort-level summary tables, not patient-level data. The Science Committee may authorize additional work to assist the licensed manufacturer in meeting reporting obligations to the relevant regulatory authority. This may include recommending to the data partners that they assist the licensed manufacturer in obtaining patient-level data.

Prior to the Tertiary Analyses report, BBCIC Participants on the Science Committee may share the notices provided by the Research Teams (see Policy 2.14.2. Process for Informing the Science Committee of a Safety-related Finding of Interest) with their pharmacovigilance teams.

2.15 Selection and Award of Grants or Contracts

2.15.1 Grantee/Contractor Selection and Award Principles

The BBCIC may acquire goods or services from a variety of partners and suppliers, including but not limited to health care data providers, systems integrators, technology providers, and consultants. These goods and services may be acquired through financial or in-kind contributions from the BBCIC Participants or other third parties, grants made, honoraria paid on behalf of the BBCIC, or commercial contracts with vendors to provide goods and services that support the BBCIC's mission. The selection and award of such grants and/or contracts funded under the BBCIC, or the acceptance of financial or in-kind contributions on its behalf, will be conducted to ensure fairness, impartiality, and inclusiveness, as well as conformity with all BBCIC policies.

2.15.2 Awarding of Contracts and Grants

- The BBCIC will solicit and award research grants and contracts by employing a structured, transparent selection process that will be available for review by the BBCIC Board of Managing Directors and the Steering Committee. The BBCIC Consortium Director will manage this process.
- The selection process will employ objective, transparent criteria, comply with all BBCIC conflict of interest, confidentiality, and antitrust policies, and ensure that resulting agreements are intended to fulfill the mission and objectives of the BBCIC.
- BBCIC legal counsel will review and approve, where appropriate, all vendor or partner contracts and agreements to ensure they comply with the BBCIC conflict of interest, antitrust, and confidentiality policies and with applicable law and regulation.
- These policies do not preclude BBCIC from entering into non-competitive awards/supplements where warranted, subject to the prior review by BBCIC counsel, informing the Steering Committee, and compliance otherwise with the policies and principles articulated herein.

2.15.3 Contract Authority

The BBCIC Board of Managing Directors must approve all contracts and agreements with a stated contract value or fair market value in excess of $100,000, or such other level as the Board of Managing Directors may from time to time determine. (See related Policies 2.15.4 Contract Execution and 2.16.3 Check Signatories)

2.15.4 Contract Execution

Only the AMCP CEO, acting on behalf of the BBCIC Board of Managing Directors, is authorized to sign contracts and agreements or to engage any external firm in fee-for-service work for the BBCIC. A violation of this policy will result in BBCIC holding at risk the individual(s) who bound BBCIC. (See related Policy 2.16.3 Check Signatories)

2.16 Management Services

AMCP will provide management services (i.e., staffing, financial management, human resources, office space) to support the BBCIC through a Board of Managing Directors-approved service agreement. Individuals in these roles are not employed directly by BBCIC.

2.16.1 AMCP and BBCIC Receipts and Disbursements Separation

AMCP and BBCIC maintain separate and distinct general ledgers; all receipts to and disbursements from AMCP and BBCIC must be clearly separated and defined by written documentation to serve as reference/backup. In the event that monies are collected by AMCP for BBCIC or vice-versa, monthly transfers will be made to the appropriate entity.

2.16.2 Budget

The BBCIC's fiscal year runs from January 1 through December 31. Annually the Consortium Director, or appointed designee, shall oversee staff preparation of the operating and capital budgets so that the organization has a working budget in place by the start of the upcoming fiscal year. These fiscal and budget reports will be presented to the Steering Committee and the Board of Managing Directors. The BBCIC Board of Managing Directors will review and approve the budget developed by the Steering Committee.

2.16.3 Check Signatories

For disbursements up to $5,000, one signature is sufficient – that of the AMCP CEO (serving on the BBCIC Board of Managing Directors) or an Authorized Signatory of AMCP. Normally, the AMCP CEO will sign all checks with the Authorized Signatory signing checks in the CEO's absence. Two signatures are required for disbursements

over $5,000 up to $100,000, the bonded amount. They will be chosen from among the AMCP CEO/BBCIC Managing Director or other Authorized Signatories for AMCP. Two (2) Officer's signatures are required for disbursements over the bonded amount, which will be chosen from among the CEO, Treasurer, or the President.

2.16.4 Contract Review by BBCIC Legal Counsel

BBCIC legal counsel will review and approve, where appropriate, all vendor or partner contracts and agreements to ensure they comply with the BBCIC conflict of interest, antitrust, and confidentiality policies and with applicable laws and regulations.

2.16.5 Contract Authority Greater than $100,000

The BBCIC Board of Managing Directors must approve all contracts and agreements with vendors and partners with a stated contract value or fair market value in excess of $100,000.

2.16.6 Insurance

The AMCP CEO (serving on the BBCIC Board of Managing Directors), or designee acting on behalf of the AMCP Board of Managing Directors, will obtain sufficient insurance that will cover directors and officers (D&O) liability insurance, contractual agreements, liability, and capital equipment. Insurance coverage limits are to be reviewed annually by the AMCP CEO (serving on the BBCIC Board of Managing Directors), or designee, to ensure adequate coverage.

2.16.7 Travel Reimbursement Eligibility for Non-staff

Members of the BBCIC Board of Managing Directors are reimbursed for actual reasonable, allowable expenses related to travel to all Board meetings.

BBCIC Participants shall bear their own travel and accommodation expenses relating to attendance at and participation in BBCIC meetings and activities. The BBCIC Board of Managing Directors, BBCIC Steering Committee Participants, and other BBCIC Committee members will be reimbursed for travel when traveling on contractually-approved BBCIC business unrelated to Board/Committee meetings.

2.16.8 Endorsement Policy

In keeping with the BBCIC's mission, the BBCIC shall not evaluate, endorse, or recommend any commercial or for-profits source of a product or service if such an activity could be construed as a marketing practice that furthers said product or service.

2.16.9 **Whistleblower Policy**

This Whistleblower Policy ("the Policy") encourages employees to report to the AMCP Treasurer (serving on the BBCIC Board of Managing Directors) or the BBCIC External Legal Counsel any known or suspected illegal activities or otherwise improper conduct that they believe may have been conducted by an employee, a member of the Board of Managing Directors or others associated with the BBCIC in connection with regulatory compliance, finances or any other financial matters of the BBCIC. This Policy prevents, by law, anyone in the BBCIC from retaliating or punishing an employee for reporting to senior management, the BBCIC officials, BBCIC External Legal Counsel, or law enforcement conduct that the employee reasonably believes to be illegal or improper.

The Policy establishes procedures for:

a. The receipt, retention, and treatment of complaints received by the BBCIC regarding regulatory compliance, accounting, internal accounting controls, auditing or financial matters; and,
b. The submission by employees or others, on a confidential and anonymous basis, of good faith concerns regarding questionable accounting, auditing, or financial matters.

In accordance with the above, the BBCIC adopts the following procedures:

1. Complaints filed with BBCIC Employees. The BBCIC staff, through the AMCP CEO (serving on the BBCIC Board of Managing Directors) or the AMCP Human Resources department, shall promptly forward to the AMCP Treasurer (serving on the BBCIC Board of Managing Directors) any complaints that they have received from employees regarding regulatory compliance, financial statement disclosures, accounting, internal accounting or disclosure controls, auditing matters, disclosure violations, violations of BBCIC finance policies and procedures or other illegal or improper conduct.
2. Complaints filed with Outside Authorities (non-BBCIC employees). Any employee may choose to submit, on a confidential, anonymous basis if the employee so desires, any good faith concerns regarding any of the matters detailed in Paragraph 1 directly to AMCP Treasurer (serving on the BBCIC Board of Managing Directors) or the BBCIC External Legal Counsel. The AMCP Treasurer (serving on the BBCIC Board of Managing Directors) and the BBCIC External Legal Counsel are independent individuals and are not BBCIC employees. All such concerns shall be set forth in writing and forwarded in a sealed envelope to the AMCP Treasurer (serving on the BBCIC Board of Managing Directors) or the BBCIC External Legal Counsel. The envelope should be labeled with a legend such as: "To be opened by AMCP Treasurer (or the BBCIC External Legal Counsel) only. This is being submitted pursuant to the BBCIC Whistleblower Policy".

If an employee would like to discuss any matter with the AMCP Treasurer (serving on the BBCIC Board of Managing Directors) or the BBCIC External Legal Counsel, the employee should indicate this in the submission and include a telephone number (or other method of contact) at which they might be contacted if the AMCP Treasurer

(serving on the BBCIC Board of Managing Directors) or the BBCIC External Legal Counsel deems it appropriate.

Contact information for the AMCP Treasurer (serving on the BBCIC Board of Managing Directors) and the AMCP BBCIC External Legal Counsel are as follows:

AMCP Treasurer - "Confidential"
BBCIC
675 North Washington Street; Suite 220
Alexandria, VA 22314

AMCP External Legal Counsel
Venable, LLP
600 Massachusetts Ave., NW
Washington, DC 20001
202/344-8300 (fax)

3. Following the receipt of any complaints submitted hereunder, the AMCP Treasurer and the AMCP External Legal Counsel shall consult with each other. Thereafter the AMCP Finance Committee will investigate each matter so reported and, in conjunction with appropriate staff at AMCP, will take corrective and disciplinary actions, if appropriate, which may include, alone or in combination, a warning or letter of reprimand, demotion, loss of compensation, suspension without pay, or termination of employment. The Treasurer shall lead the investigation on behalf of the AMCP Finance Committee. AMCP Officers, Directors, employees, and agents who may be implicated in such investigation shall not participate in said investigation or disciplinary proceeding except to present information directly to the AMCP Finance Committee on their behalf.
4. The Finance Committee may enlist, in addition to consulting with AMCP External Legal Counsel, other AMCP Board members, employees of AMCP, and/or outside accounting or other advisors, as appropriate, to help conduct any investigation of complaints. In conducting any investigation, the Finance Committee shall use reasonable efforts to protect the confidentiality and anonymity of the reporting employee.
5. AMCP does not permit retaliation of any kind against employees for complaints submitted hereunder that are made in good faith. Additionally, no employee shall be adversely affected because the employee refuses to carry out a directive, which, in fact, constitutes corporate fraud, is a violation of state or federal law, or violates any financial policies contained in the AMCP Operational Policies and Procedures Manual.
6. The Finance Committee shall retain any such complaints or concerns as part of its records for no less than seven (7) years.

For additional information, please contact the BBCIC External Legal Counsel.

2.16.10 Document Retention Policy and Schedule

Except as defined for research data (see Policy 2.7 Data Retention), the BBCIC adopts the AMCP Document Retention Policy and Schedule as outlined in the AMCP Operational Policies & Procedures Manual.

2.16.11 Use of the BBCIC Name

The BBCIC Consortium Director must authorize the use of the BBCIC Name by external parties.

2.16.12 Use of the BBCIC Service Mark

The BBCIC logo is a registered service mark of the BBCIC. It is registered to identify and protect programs and services of BBCIC so they can be distinguished from others. The right of the BBCIC to use its service mark is incontestable and serves notice that its use is a claim of ownership over programs and services. Entities, both external and internal, that request the use of the service mark shall submit their request in writing to the BBCIC Consortium Director, or designee, for review and approval by the BBCIC Board of Managing Directors. All such requests shall be measured against existing policies, goals, and governing values. Use of the service mark shall not imply any warranty.

2.16.13 The BBCIC Service Mark on Publications

The BBCIC registered logo service mark must be printed on the front cover of all brochures, publications, and printed materials distributed by the BBCIC.