

MINUTES
Oversight Committee Quarterly Meeting
Cancer Prevention and Research Institute of Texas
CPRIT Office
211 E 7th Street, Austin Texas
November 18, 2009
1:00 p.m.

James Mansour, Chairman, announced a quorum and called the meeting of the Cancer Prevention and Research Institute of Texas (Institute) to order at 1:00 p.m.

Members Present

James Mansour, Chairman
Dr. Malcolm Gillis, Vice Chairman
The Honorable Faith Johnson
Scott Sanders
Cindy Brinker Simmons , Secretary
Dr. Joseph Bailes
Martin Hubert (Representing the Honorable Susan Combs)
Lionel Sosa
Charles Tate
Jay Dyer (Designee for the Attorney General)

Members Absent

Dee Kelly

Legal Counsel

Kristen Doyle

Staff Present

William "Bill" Gimson, Executive Director
Heidi McConnell, Chief Operating Officer
Dr. Alfred Gilman, Chief Scientific Officer
Dr. Becky Garcia, Chief Prevention Officer
Jerry Cobbs, Chief Commercialization Officer
Therry Simien, Information Technology Officer
Sandra Balderrama, Senior Advisor to the Executive Director
Alfonso Royal, Finance Manager
Jo Ann Eckert, Director of Scientific Review
Lisa Nelson, Operations Manager
Michelle Frerich, Program Manager
Marcie Moerbe, Program Specialist
Yvette Jimenez, Administrative Assistant
Sandra Reyes, Executive Assistant

Minutes

Oversight Committee member Charles Tate requested that the minutes of the August 14, 2009 quarterly meeting be amended. He explained that on page 5, the item entitled: *“Economic Development Commercialization Committee Report from Charles Tate”* omitted part of his report that stated a recommendation establishing a virtual management company. He asked that the minutes be modified and include those specific words.

The Comptroller of Public Accounts designee Mr. Martin Hubert also asked for a clarification on the action taken on the item discussed by Committee member Charles Tate. Mr. Hubert questioned if the motion was still being upheld due to the omission of the presenter’s recommendation to establish a virtual management company. Chairman Mansour stated that the motion accepted at the August 14, 2009 Oversight Committee Meeting covered all that was presented and recommended by presenter and Committee Member Charles. He stated that the motion was clear and read the motion directly from the minutes: “Dr. Bailes moved to accept the report of the Economic Development and Commercialization Subcommittee as presented” . .

Charles Tate moved to adopt the amended minutes of the August 14, 2009 CPRIT quarterly meeting. Cindy Brinker Simmons seconded. None opposed. Motion carried.

CPRIT Foundation Event Report

Chairman Mansour introduced Jennifer Lustina, Executive Director of the CPRIT Foundation to report on Foundation activities.

Ms. Lustina presented a report to the committee on the CPRIT Foundation’s Policy Roundtable Meeting and Dinner held on October 21, 2009. She reported that among the 300 in attendance were Lieutenant Governor David Dewhurst, Representatives Patrick Rose and Jim Keffer, and Senator Jane Nelson.

At the Roundtable Meeting the Foundation was authorized to contract with an accounting firm to provide the financial oversight. The Foundation has received the official CPRIT Foundation Tax Exempt Letter. Ms. Lustina concluded by saying that the event was a success, raising \$360,000.

Presentation by Dr. Joyce O’Shaughnessy, M.D. U.S. Oncology at the Baylor-Sammons Cancer Center

Dr. O’Shaughnessy with the Baylor-Sammons Cancer Center shared a presentation entitled, *“Advances in Treating Breast Cancer from Texas Oncology and US Oncology”*.

Report from the Executive Director

William Gimson provided an update on CPRIT activities from August 14, 2009 to November 18, 2009,:

- CPRIT Grant Process Update
- Scientific Research and Prevention Program Committee Representation
- Company Investment RFA
- CPRIT Communications Update – Speaking Engagements
- CPRIT Staffing Update (addition of Administrative Assistant, Finance Manager Specialist, Information Specialist, Director Preventions Programs, and Chief Commercialization Officer)

- Other CPRIT Updates –
 - Big Ideas Meeting, October 2009
 - University Advisory Committee Meeting
 - Advisory Council on Childhood Cancer
 - Team CPRIT Race for the Cure
 - New CPRIT Logo
- Prevention Division Report (Dr. Becky Garcia)

Dr. Garcia reported on the Prevention Program

 1. To prevent and reduce death from cancer, Texans must have
 - Culturally appropriate, accurate health information
 - Access to state of the art preventive programs and services
 - Innovative research into causes, risk models, detection methods, behavioral change
 2. RFA Update
 - First two prevention RFAs closed November 13, 2009
 - Health Promotion, Public Education and Outreach Programs
 - Evidence-Based Prevention Programs & Services
 - Applications Received
 - Prevention Program Funding Principles
 - Program Emphasis
 - Cervical Cancer
 - Interim Outcome Metrics
 - Prevention Review Council Chair – Stephen W. Wyatt, D.M.D., M.P.H.
 - Prevention Review Committee Chair – Lawrence W. Green, Dr.PH
 - Next Requests for Applications
 - Health Care Professional Education and Training
 - Innovation awards for Cancer Prevention Programs and Services
 - Community Collaborative Prevention Programs and Services for Breast, Cervical and Colorectal Cancers
 - Health Promotion, Public Education and Outreach Programs
 - RFA Process Timeline
 - First Application Due November 13, 2009
 - Announce 1st Grants in March, 2010
 - Release second RFAs in December, 2009
 - 2nd applications due in March, 2009
 - Award 2nd grants in June/July, 2010
- Research Division Report (Dr. Alfred Gilman)

Dr. Gilman reported on the following:

 - Scientific Research and Prevention Program Committees (SRPP)
 - Research Peer Review Group (108 appointees)
 - Currently conducting peer review for the first applications
 - Recruitment of First-Time, Tenure-Track Faculty Members

- 108 Appointees to the Scientific Research and Prevention Program Committees (SRPP)

Executive Director Bill Gimson presented the 108 appointees to the Scientific Research and Prevention Program Committees (SRPP) Peer Review Group. These esteemed scientists and experts in their respective cancer fields will conduct peer review for the first group of research applications - numbering almost 900. They have been assigned to one of seven different peer review committees led by the seven chairs which the Oversight Committee approved at the August 19, 2009 meeting.

Executive Director Bill Gimson also informed the Oversight Committee he had appointed two members to the Scientific Research and Prevention Program committees who will conduct reviews of the 2010 prevention applications:

Prevention Review Council Chair: Stephen W. Wyatt, D.M.D., M.P.H.
Prevention Review Committee Chair: Lawrence W. Green, Dr.PH

Chairman James Mansour explained that Texas law requires the Oversight Committee to approve the Executive Director's appointments to the Scientific Research and Prevention Program committees.

Dr. Malcolm Gillis moved to approve the Executive Director's appointments to the Scientific Research and Prevention Programs Committee (SRPPC). Judge Faith Johnson seconded. None opposed. Motion carried.

Executive Director Funding Recommendation

Recruitment of First-Time, Tenure-Track Faculty Members
RFA No. R-10-RF1

Ralf Kittler, Ph.D., University of Chicago

Executive Director Bill Gimson called upon Dr. Alfred Gilman, CPRIT Chief Scientific Officer, to brief the Oversight Committee on the grantee.

Dr. Gilman reported on the process of this recruitment. He stated that the goal of the award was to recruit exceptional faculty to universities and/or cancer research institutions in the State of Texas. He also included how the candidate was expected to have completed their doctoral and fellowship training and how he/she must have clearly demonstrated truly superior ability as evidenced by their accomplishments during training, proposed research plan, publication record, and letters of recommendations.

Dr. Gilman stated that the grantee, Ralf Kittler, had exceptional recommendation letters from Germany, where he received his Ph.D. at the Max Planck Institute for Molecular Cell Biology and Genetics, and from the University of Chicago, where his postdoctoral research has been performed. He added that the Scientific Review Council unanimously recommends Ralf Kittler, Ph.D. to receive the funding for the First-Time, Tenure-Track Faculty Members RFA No. R-10-RF1.

Chairman James Mansour explained that "Texas law (Health and Safety Code § 102.252)

Requires the Oversight Committee to follow the Executive Director's funding recommendation unless two-thirds of the Oversight Committee members vote to disregard the recommendation."

Chairman Mansour asked the Oversight Committee members if they would entertain a motion to disregard the Executive Director's funding recommendation.

Hearing no motion to disregard the funding recommendation, he then asked if there was a motion to delegate contract negotiation authority to the Executive Director and the General Counsel and to authorize the Executive Director to sign the contract on behalf of the Institute.

Scott Sanders moved to delegate contract negotiation authority to the Executive Director and the General Counsel and to authorize the Executive Director to sign the contract on behalf of the Institute. Dr. Malcolm Gillis seconded. None opposed. Motion carried.

CPRIT Proposed Amendments to 25 TAC §§702.1-702.15

Institute Standards on Ethics and Conflicts, Including Relationships Between the Institute and Private Organizations and Donors

CPRIT General Counsel Kristen Doyle presented proposed amendments to Chapter 702 rules. Ms. Doyle explained that the amendments are necessary for consistency with the statute and agency rules. Once approved by the Oversight Committee, the proposed amendments will be published in the Texas Register for public comment. A final version of the Chapter 702 rules is expected to be presented to the Oversight Committee for consideration and approval at its January 20, 2010 meeting.

The Comptroller of Public Accounts designee, Mr. Martin Hubert asked that the following changes be made to the proposed rule amendments:

1. Sec. 702.5, remove the word "open."
2. Sec. 702.13(g), remove the words "serious or frequent."

After discussion by the Oversight Committee regarding the requested changes, Chairman Mansour requested a motion be made to publish the proposed amendments, as presented with the changes discussed, in the "Rules Proposed" section of the Texas Register in accordance with the requirements of the Administrative Procedure Act.

Dr. Joseph Bailes moved to publish the proposed amendments, as presented with the changes discussed, to Chapter 702 rules in the "Rules Proposed" section of the Texas Register in accordance with the requirements of the Administrative Procedure Act. Cindy Brinker Simmons seconded. None opposed. Motion carried.

CPRIT Rule Revision 25 TAC §§703.1-703.17

Grants for Cancer Prevention and Research

CPRIT's General Counsel Kristen Doyle presented rules relating to CPRIT grant awards for the Oversight Committee's consideration and final approval. The final rules will be included as 25 Texas Administrative Code Chapter 703 "Grant Awards for Cancer Prevention and Research."

Ms. Doyle explained that the Oversight Committee previously approved the proposed Chapter 703 rules for publication at its August 14, 2009 meeting. The proposed Chapter 703 rules were published in the August 28, 2009 edition of the Texas Register. Public comments regarding the proposed rules were received from nine parties by the September 28, 2009 deadline. Texas law requires the agency to fully consider and summarize comments submitted by each party in the order adopting the final rules. She indicated that the final rules to be considered for adoption reflect changes recommended by the various parties. Most of the changes made were non-substantive, but did provide additional clarification regarding the grant application, evaluation, and award process. She then went on to explain the changes included in the final Chapter 703 rules.

In addition to the changes included in the final Chapter 703 rules, the Honorable Susan Combs' representative Mr. Martin Hubert asked that the following changes also be made to the final rules:

1. Section 703.13 - Expand amount of time for the Institute to request documents and other information related to grant from three (3) years following termination of grant to four (4) years.
2. Sec. 703.14 – Clarify that the Institute may exercise its right to terminate the award contract unilaterally.

Ms. Doyle stated that the final Chapter 703 adopted by the Oversight Committee will be filed with the Secretary of State. The rules will become final twenty days after filing and will be printed in the Texas Register and posted on CPRIT's website, www.cprit.state.tx.us.

After discussion, Chairman Mansour requested a motion to approve the simultaneous repeal of current Chapter 703 rules and adoption of final Chapter 703 rules, as presented with the changes discussed, for publication in the "Rules Adopted" section of the Texas Register in accordance with the requirements of the Administrative Procedure Act.

Charles Tate moved to approve a simultaneous repeal for the current Chapter 703 rules and adopt final rules, as presented with changes, for a new Chapter 703 in the "Rules Adopted" section of the Texas Register in accordance with the requirements of the Administrative Procedure Act. Dr. Joseph Bailes seconded. None opposed. Motion carried.

Informational – Discussions of Grant Review Process including discussion of Oversight Committee Procedures Concerning Future Notice of Funding Recommendations

Chairman Mansour stated the Executive Director plans to present his recommendations for Individual Investigator and High Impact funding awards at the January Oversight Committee Meeting. He shared the following highlights with the committee:

1. Final List: Background - List of applications recommended will be prepared by the Scientific Review Council. The Council is scheduled to meet on January 12-13 and will present the list to the Executive Director. The Executive Director will create the final slate and recommendations.
2. Oversight Committee Role – The Executive Director's slate of funding recommendations is approved unless the Oversight Committee votes to reject the slate by a 2/3 vote as mandated by Texas Law.

3. Information the Oversight Committee Will Receive – No later than the Monday before the January 20, 2010 meeting, the Oversight Committee will receive the Executive Director's slate of recommendations. This list will come in a sealed envelope. Information included in the envelope: name of the investigator, the institution/organization receiving the award, the estimated award amount, and the title of the research project. A short abstract that describes the project goals and its importance will also be provided.
4. As part of the grant award process, the Oversight Committee members may have access to information considered confidential and proprietary. All Oversight Committee members have been asked to sign a non-disclosure agreement, and return the form to Kristen Doyle, General Counsel. The agreement commits the members to maintain the confidentiality of the information provided.

Nominations Committee Report

The following was presented as a recommendation for membership to the Scientific and Prevention Advisory Council (SPAC) by Dr. Bailes:

Vincent Fonseca, M.D., Ph.D. Texas Department of State Health Services

Chairman Mansour called for a motion to approve Dr. Vince Fonseca to the Scientific and Prevention Advisory Council (SPAC).

Scott Sanders moved to accept Dr. Vincent Fonseca for membership on the Scientific and Prevention Advisory Council (SPAC). Judge Faith Johnson seconded. None opposed. Motion carried.

Agency Operation Report

Reports presented by Heidi McConnell, Chief Operating Officer:

- FY 2009 Performance Report; Fourth Quarter Summary
- FY 2009 Expenditure Report
- Independent Financial Audit
- 2010 Operating Budget

Reports were accepted, no action required.

- FY 2010 Interagency Contract Revision

Ms. McConnell recommended authorizing staff to negotiate a fiscal services interagency contract with HHSC for an amount not to exceed \$30,000. Funds are to be allocated out of the agency's Administrative budget.

Dr. Joseph Bailes moved to authorize staff to negotiate a fiscal services interagency contract with HHSC for an amount not to exceed \$30,000. Funds allocated out of the agency's Administrative budget. Cindy Brinker Simmons seconded. None opposed. Motion carried.

Proposed Future Meetings Dates and Agenda Items

After poll of members for available dates, the January & March meeting dates are as follows:

January 20, 2010

March, 10, 2010

Executive Committee to meet at 10:00 a.m., and the Oversight Committee meeting will begin at 1:00 p.m.

Public Comment

Chairman Mansour called for public comments. There were two public comment cards submitted:

1. Dario Crossetto submitted written testimony only, Re: Policy & Procedures
2. Margaret K. Bently submitted written testimony only, Re: Policy & Procedures

These documents were distributed to the Oversight Committee members.

Adjournment

There being no further business, the meeting was adjourned by Chairman Mansour at 3:25 PM.

Signature

Date