

MINUTES
Oversight Committee Quarterly Meeting
Cancer Prevention and Research Institute of Texas

Thompson Auditorium, 1st Floor
Texas Medical Association
401 W 15th Street, Austin, Texas

December 5, 2012
1:00 p.m.

James Mansour, Chairman, announced a quorum and called the Oversight Committee Quarterly Meeting of the Cancer Prevention and Research Institute of Texas (Institute) to order at 1:05 p.m.

Members Present

James Mansour, Chairman
Dr. Joseph Bailes, Vice Chairman
Barbara Canales
Whitney Blanton (on behalf of the Comptroller)
Jay Dyer (Designee for the Attorney General)
The Honorable Judge Faith Johnson
Tom Luce
Alex Meade
Walker N. Moody
Charles Tate
Mark E. Watson, Jr.

Members Absent

None.

Legal Counsel

Kristen Doyle

Staff Present

Bill Gimson, Executive Director
Heidi McConnell, Chief Operating Officer
Dr. Becky Garcia, Chief Prevention Officer
JoAnn Eckert, Director of Scientific Review
Patricia Vojack, Compliance Officer
Ramona Magid, Prevention Program Director
Christopher Bair, Information Technology
Diego Alejos, Information Technology

Earl Jackson, Information Technology
Sandra Balderrama, Senior Advisor to the Executive Director
Yvette Jimenez, Administrative Assistant
Ellen Read, Information Specialist
Alfonso Royal, Finance Manager
Lisa Nelson, Operations Manager
Michelle Frerich, Program Manager
Consuelo Amezcuita, Temp
Sandra Reyes, Executive Assistant

Minutes

August 2, 2012

September 5, 2012

October 24, 2012

Barbara Canales moved to adopt the minutes of the CPRIT Oversight Committee Quarterly Meetings held August 2, September 5, and October 24, 2012. Faith Johnson seconded. None opposed. Motion carried.

Executive Director's Report

Executive Director Bill Gimson provided an update on the pressing issue of the press reports.

- Executive Director Bill Gimson addressed the issues with Peloton Therapeutics which have recently been in the newspaper following a retrospective review of all grants awarded by CPRIT. As reported by CPRIT's recently hired Compliance Officer Patricia Vojack, the former Chief Commercialization Officer stated that he first heard about Peloton, formerly Damascus, through a call from the Chief Scientific Officer. Placement on the slate was a misunderstanding on the part of the Chief Commercialization Officer. He has since stated that he thought the Oversight Committee approval was to allow him to proceed with due diligence and not approval for funding. Upon the revelation that documentation of the Peloton review process does not exist, CPRIT immediately suspended funds to the company and the company submitted a proposal for review. Mr. Gimson stated that he takes full responsibility for any mistakes that were made during the early start up days of CPRIT. He further stated that during the first 10 months of CPRIT's operations, the checks and balances that are in place today did not exist.
- Committee member Tom Luce asked for a performance review of Executive Director Bill Gimson to be conducted in a closed session at the January meeting. So noted for future agenda.
- A discussion was held regarding the need for an outside consultant to review the agency. It was pointed out that this would require the Governor's approval but there are companies already approved on TxMAS who do management reviews. There was a general concern among the members about the length of time it would take to get the process started.

A motion was made by Judge Faith Johnson to do top to bottom review of the agency including management, and to instruct Institute staff to present options for this process at the next Oversight Committee meeting. Seconded by Joe Bailes.. None opposed. Motion carried.

Governance Committee Report

Walker Moody, Board Governance Committee Chair gave an overview and recommendations on behalf of the committee.

- CPRIT's Legislative Purpose, Powers and Duties
- CPRIT's Board Governance Subcommittee
- CPRIT's Oversight Committee: Where we are today
- Recommendations
 - ❖ Board Governance
 - Presiding Officer
 - Strategic Partnerships
 - Board Subcommittees
 - Executive Committee
 - New Board Member Training/Continuing Education
 - ❖ Agency Operations
 - Delegation of authority to Executive Director
 - Grant Review and Award Process
 - CPRIT Foundation
- Action Plan
 - Adopt a process for electing Board Chair and Vice Chair (Bylaws)
 - Adopt a succession policy in event of vacancy (Bylaws)
 - Establish two-year term limits for Board Chair, Vice Chair (Bylaws)
 - Board Governance defines roles/responsibilities for Chair, Vice Chair (Bylaws)
 - Approve/delegate approval of strategic partnerships, alliances and coalitions (Bylaws)
 - Stand up subcommittees for Scientific Research and Prevention to join existing Economic Development and Commercialization Subcommittee (Bylaws)
 - Board Governance Subcommittee responsibilities (Bylaws, Code of Ethics, Committee Charter)
 - Audit Subcommittee responsibilities (Bylaws, Committee Charter)
 - Executive Committee membership (Bylaws)
 - Executive Committee conducts the ED's annual performance review (Bylaws)
 - General Counsel provides new board member and training updates (Bylaws)
 - Board Governance develops delegation of authority policy (Committee charter, Delegation of Authority Policy)
 - ED reports on grant progress and allocation of funds quarterly (Bylaws)
 - Chief Compliance Officer reports to OC on the best practices for grant review and post-award grant monitoring processes (Bylaws)
 - Program chiefs and program subcommittees develop process for feedback to triaged grant applicants (Bylaws)
 - ED reports on CPRIT Foundation governance and CPRIT/CPRIT Foundation relationship (Bylaws)
 - CPRIT Foundation ED reports annually to the OC on Foundation (Bylaws)
 - OC Chair and CPRIT Foundation Chair held by different people (Bylaws)

- List of Board Committees and Working Group
- List of Advisory Committees
- CPRIT Senior Staff
- FY 2012 CPRIT Non-Grant Contracts
- CPRIT Organization Chart

The board asked for motions on two items presented.

A motion was made by Joseph Bailes to change the Bylaws, and have Compliance Officer report to Oversight Committee on the best practices for grant review and post-award grant monitoring processes. Seconded by Alex Meade. None opposed. Motion carried.

A motion was made by Joseph Bailes to change the Bylaws, and have the CPRIT Foundation Executive Director report annually to the Oversight Committee on the Foundation. Seconded by Faith Johnson. None opposed. Motion carried.

Compliance Officer Report

Patricia Vojack, Compliance Officer reported to the board on the compliance program plan.

- CPRIT's Compliance Program
 - Structure and Oversight
 - Standards of Conduct and procedures
 - Education and Training
 - Monitoring and Auditing
 - Compliance Reporting
 - Enforcement and Discipline
 - Response and Prevention

The compliance program must assure the Oversight Committee that controls are in place to manage risk, be transparent and ensure the public's trust. Future compliance reports will be keyed to the 2013 Annual Action Plan as presented.

Submission of Slates – Research Grant Applications Recommended for Funding

Executive Director Bill Gimson presented the grant award slates. He stated that he had three slates for this funding period and gave a brief description of the slates for recommendation.

Compliance Officer Review and Certification of Slates

Patricia Vojack, Compliance Officer gave a brief report on the peer review process.

She then explained that upon review of **RP130256, Baylor College of Medicine Core Facility grant application** during the budget discussion, CPRIT staff deviated from CPRIT procedure which could have impacted the grant application.

This grant was approved for funding and part of the slate submitted for funding. To resolve any possible budget impact, she proposed to the Oversight Committee, an offer be made to Baylor College of Medicine as follows: Based on the annual report for the project, BCM can request the project undergo review for the full requested funding amount in its original grant application. The terms and conditions of this offer would be captured in the grant contract.

Patricia Vojack also explained that during the budget discussion of **RP130397, MD Anderson Core Facility grant application** CPRIT staff deviated from CPRIT procedure which could have impacted the recommended award amount.

This grant was approved for funding and part of the slate submitted for funding. To resolve any possible budget impact, she proposed to the Oversight Committee, an offer be made to MD Anderson as follows: Based on its Annual Report, MD Anderson can request the project undergo review for the full requested funding amount in its original grant application. The terms and conditions of this offer will be captured in the grant contract.

Patricia Vojack reported on a third application. This was **RP 130399, University of Houston, Core Facility grant application**. Upon review of this application, CPRIT staff deviated from CPRIT procedure, engaging in the panel's discussion on the merits of the application which could have impacted the recommendation on funding the grant. This application was not recommended for funding and therefore, not part of the slate submitted for funding. To resolve this issue, Patricia Vojack recommends inviting the grantee to submit their grant application for full review in response to an appropriate open RFA. It would be considered a "new application" for purposes of the review.

The first two exceptions require motions at time of ratifying slate. The last finding required immediate action by the board.

Chairman Mansour called for a motion to accept the Compliance Officer's recommendation to invite the grantee, University of Houston submit their grant application for Core Facility grant for full review and be considered a new application for purposes of the review.

Motion was made by Tom Luce to accept the Compliance Officer's recommendation to have the grantee, University of Houston submit their grant application for Core Facility grant for full review and be considered a new application for purposes of the review. Joseph Bailes seconded. None opposed. Motion carried.

Chairman Mansour called the Compliance Officer to certify the slates submitted for funding for Core Facility Support Awards Award Slate.

Patricia Vojack informed the board that she conferred with SRA, CPRIT's contracted third-party grant application administrator, and Grant Thornton, CPRIT's internal auditor serving as the third-party observer during peer review, and, with the exceptions previously noted, she was satisfied that the recommendations in the grant slates, were made following established agency procedure.

Chairman Mansour informed the attendees that because CPRIT Oversight Committee members play a role in the grant award process, they are subject to CPRIT's conflict of interest standards. He then requested for the record to show that no Oversight Committee member requested to be recused from considering any of the award slates being presented.

Chairman Mansour advised that Texas law 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.

SLATE 1 *Chairman Mansour called for a motion to disregard the Executive Director's funding recommendation for the **Core Facility Support Awards Award Slate***

Before taking up the motion for the funding grant slates presented to the board, Chairman Mansour called for a motion. Based on annual reports Baylor College of Medicine Core Facility grant application RP130256 and MD Anderson Core Facility grant application RP130397 be allowed to undergo review at the time of their annual progress reports for the full requested funding amounts in their original grant applications with terms and conditions of the offers to be captured in the grant contract.

Motion was made by Tom Luce to allow applications with ID's RP130256 and RP130397 to undergo review for requested funding amounts in their original applications at the time of their annual progress reports. The terms and conditions of the offers would be captured in the grant contract. Motion was seconded by Charles Tate. None opposed. Motion carried.

Hearing no motion to disregard this slate, *Chairman Mansour called for a motion to delegate contract negotiation authority to the Executive Director and the General Counsel and to authorize the Executive Director to sign the contracts on behalf of the Institute.*

Motion was made by Joseph Bailes to delegate contract negotiation authority to the Executive Director and the General Counsel and to authorize the Executive Director to sign the contracts on behalf of the Institute. Motion was seconded by Charles Tate. None opposed. Motion carried.

Chairman Mansour called upon the Compliance Officer to certify the slates submitted for funding for the High Impact High Risk Award Slate.

Patricia Vojack informed the board that she conferred with SRA, CPRIT's contracted third-party grant application administrator, and Grant Thornton, CPRIT's internal auditor serving as the third-party observer during peer review. She was satisfied that the recommendations in the grant slates, had been made following established agency procedure.

SLATE 2 *Chairman Mansour called for a motion to disregard the Executive Director's funding recommendation for the **High Impact High Risk Award Slate**.*

Hearing no motion to disregard this slate, Chairman Mansour called for a motion to delegate contract negotiation authority to the Executive Director and the General Counsel and to authorize the Executive Director to sign the contracts on behalf of the Institute.

Motion was made by Faith Johnson to delegate contract negotiation authority to the Executive Director and the General Counsel and to authorize the Executive Director to sign the contracts on behalf of the Institute. Motion was seconded by Barbara Canales. None opposed. Motion carried.

Chairman Mansour moved to consider the next slate.

Chairman Mansour called upon the Compliance Officer to certify the slates submitted for funding for the Individual Investigator Award Slate.

Patricia Vojack informed the board that she conferred with SRA, CPRIT's contracted third-party grant application administrator, and Grant Thornton, CPRIT's internal auditor serving as the third-party observer during peer review. She was satisfied that the recommendations in the grant slates, had been made following established agency procedure.

SLATE 3 *Chairman Mansour called for a motion to disregard the Executive Director's funding recommendation for the **Individual Investigator Award Slate**.*

Hearing no motion to disregard this slate, Chairman Mansour called for a motion to delegate contract negotiation authority to the Executive Director and the General Counsel and to authorize the Executive Director to sign the contracts on behalf of the Institute.

Motion was made by Barbara Canales to delegate contract negotiation authority to the Executive Director and the General Counsel and to authorize the Executive Director to sign the contracts on behalf of the Institute. Motion was seconded by Faith Johnson. None opposed. Motion carried.

Chairman Mansour moved to consider the next slate.

The Compliance Officer certification did not include the Research Recruitment Award Slate.

SLATE 4 *Chairman Mansour called for a motion to disregard the Executive Director's funding recommendation for the **Research Recruitment Award Slates**.*

- ***Clinical Investigators Award Slate***
- ***Investigators Performing Translational Research Award Slate***
- ***First-Time, Tenure-Track Faculty Members Award Slate***
- ***Rising Stars Award Slate***
- ***Established Investigators Award Slate***

Hearing no motion to disregard this slate, Chairman Mansour called for a motion to delegate contract negotiation authority to the Executive Director and the General Counsel and to authorize the Executive Director to sign the contracts on behalf of the Institute.

Motion was made by Joseph Bailes to delegate contract negotiation authority to the Executive Director and the General Counsel and to authorize the Executive Director to sign the contracts on behalf of the Institute. Motion was seconded by Faith Johnson. None opposed. Motion carried.

Submission of Slates – Commercialization Grant Applications Recommended for Funding

Chairman Mansour announced that the commercialization award slate would not be considered.

Advance Authority

Chairman Mansour introduced Heidi McConnell, CPRIT’s Chief Operating Officer, to address the issue of advance authority with regard to certain grant awards.

<u>Recruitee</u>	<u>Recruited To</u>
<u>Clinical Investigators Award Slate</u>	
Yee, Cassian	The University of Texas M.D. Anderson Cancer Center
Hodi, Frank	The University of Texas M.D. Anderson Cancer Center
<u>Investigators Performing Translational Research Award Slate</u>	
Hammerman, Peter	The University of Texas M.D. Anderson Cancer Center
<u>First-Time, Tenure-Track Faculty Members Award Slate</u>	
Aiden, Erez	Baylor College of Medicine
Poulikakos, Poulikos	The University of Texas M.D. Anderson Cancer Center
Dang, Weiwei	Baylor College of Medicine
<u>Rising Stars Award Slate</u>	
Xu, Hua	The University of Texas Health Science Center at Houston
Chopra, Rajiv	The University of Texas Southwestern Medical Center at Dallas
<u>Established Investigators Award Slate</u>	
Wood, John	Baylor University
Kiessling, Laura	Rice University
Ranies, Ronald	Rice University

Whitney Blanton stated that the Comptroller requested clarity on the specific awards being considered for Advance Authority for record keeping purposes. Comment was noted.

A motion was made by Joseph Bailes to authorize CPRIT to make advance payments, if requested, to the Research Recruitment Award recipients consistent with the General Appropriations Act, Article IX, Section 4.03(a). Motion was seconded by Faith Johnson. None opposed. Motion carried.

Appointments

Joseph Bailes presented the names of the newly appointed members by the Executive Director to:

Scientific Research and Prevention Program Committee (SRPP)

Commercialization members:

Alex Adjei, MD, PhD

Senior Vice President of Clinical
Research Professor and Chair,
Department of Medicine
The Katherine Anne Gioia Chair in
Cancer Medicine
Roswell Park Cancer Institute
Buffalo, NY

Michelle Arkin, PhD

Associate Adjunct Professor of
Pharmaceutical Chemistry
University of California, San Francisco
San Francisco, CA

H. Kim Lyerly, MD

George Barth Geller Professor of Cancer
Research and Professor of Surgery
Duke University Medical Center
Durham, NC

Mark Pegram, MD

Professor of Medicine
Stanford University
Stanford, CA

Roger G. Ulrich, PhD

Roger Ulrich Consulting, Pharmaceutical
Development Specialists
Consultant, Gilead Sciences, Inc.
Sammamish, WA

David Scheinberg, MD, PhD

Vincent Astor Chair and Chairman,
Molecular Pharmacology and Chemistry
Program
Chair of the Experimental Therapeutics
Center and of the Nanotechnology Center
Professor of Medicine and Pharmacology,
Sloan-Kettering Institute
Memorial Sloan-Kettering Cancer Center
, Weill-Cornell University Medical College
New York, NY

Ginette Serrero, PhD

Co-Founder & CEO (A&G)
Adjunct Professor (U. of Maryland)
A&G Pharmaceutical Inc. & University of
Maryland School of Pharmacy
University of Maryland School of
Medicine
Baltimore, MD

Neil L. Spector, MD

Associate Professor of Medicine and
Pharmacology/Cancer Biology,
Co-Director of Experimental Therapeutics
Program,
Associate Director Clinical Research,
Breast Cancer Program
Duke Cancer Institute, Duke University
Medical Center
Durham, NC

Scientific Research Members

Arion Chatziioannou, PhD

Department of Molecular and Medical
Pharmacology
University of California Los Angeles
Los Angeles, CA

Sara Courtneidge, PhD, DSc

Director, Tumor Microenvironment
Program
Sanford-Burnham Medical Research
Institute
La Jolla, CA

Thomas Gajewski, MD, PhD

Department of Pathology and Department
of Medicine
University of Chicago
Chicago, IL

Douglas Lauffenburger, PhD

Department of Biological Engineering
Massachusetts Institute of Technology
Cambridge, MA

Stan Riddell, MD

Program in Immunology
Fred Hutchinson Cancer Research
Center
Seattle, WA

Hope Rugo, MD

Professor of Medicine
University of California, San Francisco
Helen Diller Family Comprehensive
Cancer Center
San Francisco, CA

Henry VanBrocklin, PhD

Department of Radiology and Biomedical
Imaging
University of California, San Francisco
San Francisco, CA

Terry Van Dyke, PhD

Center for Advanced Preclinical Research
National Cancer Institute - Frederick
Frederick, MD

Robert Vonderheide, MD, DPhil

Department of Medicine, Abramson
Cancer Center
University of Pennsylvania
Philadelphia, PA

Hong Wu, M.D., Ph.D.

Department of Molecular and Medical
Pharmacology
David Geffen School of Medicine at
UCLA
Los Angeles, CA

Shelia Zahm, Sc.D.

Shelia K. Zahm Consulting
Hermon, ME
Prevention members:

Chairman Mansour explained that Texas law requires the Oversight Committee to take action to approve the Executive Director's appointments to the SRPP committees.

Motion was made by Barbara Canales to approve the Executive Director's appointments to the committee presented. Alex Meade seconded. None opposed. Motion carried.

Additionally, Joseph Bailes announced one appointment to fill a vacancy on the University Advisory Committee (UAC)

He explained that CPRIT's statute requires that members of this committee be appointed by the Chancellor or President of each academic institution.

Appointed member:

- Dr. Vicki Colvin, Ph.D.
Rice University
Kenneth S. Pitzer-Schlumberger Professor
Vice Provost for Research
Professor, Chemical and Biomolecular Engineering

No motion required.

Agency Operation Report

Reports presented by Heidi McConnell, Chief Operating Officer:

- Financial Report
- FY 2012 Fourth Quarter Performance Report

No action required.

Personnel

- Chief Scientific Officer
- Chief Commercialization Officer

Closed Session

Chairman Mansour announced that the Oversight Committee would consider the Personnel item during closed session pursuant to Section 551.074 of the Texas Open Meetings Act. Item being considered: Chief Scientific Officer and Chief Commercialization Officer.

All members of the public and staff were asked to leave the meeting room at that time, except for the Executive Director and General Counsel.

The committee went into closed session at 3:40 p.m.

The board reconvened in open session at 5:00 p.m.

No action was taken on the posted item.

Proposed Future Meetings Dates and Agenda Items

The next scheduled meetings are as follows:

- Wednesday, November 14, 2012 at TMA
- Thursday, January 17, 2013 at TMA
- Thursday, March 21, 2013 at TMA
- Wednesday, May 22, 2013 at TMA
- Thursday, August 15, 2013 at TMA

The Texas Medical Association (TMA) rooms have been reserved.

No action required.

Public Comment

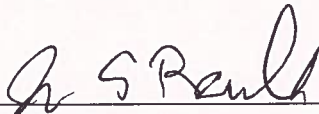
Chairman Mansour called for public comments. None were submitted.

Adjournment

There being no further business, Chairman Mansour called for a motion to adjourn.

Motion was made by Mark Watson to adjourn the meeting. Motion was seconded by Faith Johnson. None opposed. Motion carried.

Meeting adjourned at 5:20 p.m.



Signature



Date