Dear [Recipient],

Thank you for highlighting the apparent contradiction between points 2.2 and 2.3. We appreciate that at first glance the request to appeal both points appears illogical. Despite this, we do wish to appeal on both points, but primarily we wish to focus on point 2.2. If however our appeal re 2.2 is rejected we feel point 2.3 becomes applicable and relevant in that NICE will then be advocating advice that conflicts with the advice issued by the GMC (2008) and the MHRA (2009). Such a decision has a number of important ramifications, not least upon the medico-legal responsibilities of the risk of using a medication off license for which there is considerable debate upon the efficacy, effectiveness, safety and who is responsible for assuming the risk of prescribing Rituximab for off-licensed use in the treatment of Lupus. As such the relevance of point 2.3 is valid if and only if NICE rejects point 2.2, and we would like the option of being able to expound upon this concern in the Appeal should our Appeal under point 2.2 be rejected.

We would acknowledge that point 2.2 comes under Ground three, and would like to thank you for highlighting this.

Yours sincerely,

[Sender] on behalf of the Primary Care Rheumatology Society