

2021-2022

HEALTH+MEDICAL RESEARCH

—
Medical Devices Fund
Round 9

Guidelines



NSW Health

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Contents

| | |
|---|---|
| Contents..... | 3 |
| Overview..... | 4 |
| Application closing date..... | 4 |
| Indicative program timeline..... | 4 |
| 1. Introduction..... | 4 |
| 1.1 Background..... | 4 |
| 1.2 Principles..... | 4 |
| 2. Medical Device Definition..... | 5 |
| 2.1 Applicants..... | 5 |
| 2.2 Projects..... | 5 |
| 3. Application Process..... | 6 |
| Submission of Applications..... | 6 |
| 4. Assessment Process..... | 6 |
| 5. Selection Criteria..... | 7 |
| 5.1 Applicant..... | 7 |
| 5.2 Project..... | 7 |
| 6. Duration, Size and Payment of Grants..... | 7 |
| 6.1 Grant duration and size..... | 7 |
| 6.2 Payment of Grants..... | 7 |
| 7. Reporting and Accountability Requirements..... | 7 |

Overview

This document provides information on the requirements for submissions to the NSW Medical Devices Fund (2021-22).

Application closing date

5pm 1 March 2021 (Late applications will not be accepted under any circumstances).

Indicative program timeline

Please note, dates are subject to change

| Activity | Date |
|---------------------------------------|------------------|
| Call for Preliminary Applications | 14 December 2020 |
| Preliminary Applications close | 1 March 2021 |
| Sub Group meets | March 2021 |
| Medical Devices Expert Panel meets | April 2021 |
| Invitation to submit Full Application | April 2021 |
| Full Applications close | May 2021 |
| Medical Devices Expert Panel meets | June 2021 |
| Invitation to present to Expert Panel | July 2021 |

1. Introduction

1.1 Background

- The NSW Health and Medical Research Strategic Review recommended that NSW be enabled to contribute to the discovery and application of new treatments and diagnostic techniques and devices that will be major contributors to health reform into the future (*Recommendation 5.1*).
- The NSW Government established the Medical Devices Fund to help encourage and support investment in the development and commercialisation of medical devices and related technologies in NSW.
- The Medical Devices Fund is an \$8.2 million per annum, competitive technology development and commercialisation program funded by the NSW Government, through the NSW Ministry of Health. In the 2021-2022 financial year, the Fund has over \$8 million available.
- The key objective of the Medical Devices Fund is to promote new and innovative medical devices/technologies within NSW that may have a global benefit.
- Broadly, the Medical Devices Fund aims to:
 - (a) provide support to individuals, companies, public and private hospitals, medical research institutes, universities, other public sector research organisations, and the medical devices industry, to take local innovation to market; and
 - (b) increase the uptake of NSW medical devices by the health system where they are cost effective and contribute to improved patient outcomes.

1.2 Principles

The following principles will apply to the Medical Devices Fund:

- The project must be capable of potentially:
 - (a) improving patient care and/or health wellbeing;
 - (b) generating, economic, social and/or environmental benefits to NSW
- Funding will be open, competitive and merit based, while maintaining commercial-in-confidence requirements
- Funding can be used for purposes including:

- (a) proof-of-concept, prototyping and piloting studies
 - (b) manufacturing samples for product trials;
 - (c) conducting market and product assessments;
 - (d) engaging a consultant to locate other national and international trials and research relevant to the product under development; and
 - (e) conducting clinical assessments.
- The Fund will support a cross-section of products across a range of applications throughout the medical device product life-cycle (Technical Device concept demonstrated to marketing).
 - The Fund will not support activities which are deemed to be research.
 - The Medical Devices Fund Expert Panel will have sufficient flexibility to tailor funding support according to what it believes is required to assist the development and commercialisation of a medical device.

2. Medical Device Definition

The medical devices industry is defined as including those companies and organisations that develop, produce or supply devices or parts of devices that are regulated as medical devices by the Therapeutic Goods Administration. The Therapeutic Goods Act 1989, as amended, defines a medical device as:

- (a) any instrument, apparatus, appliance, material or other article (whether used alone or in combination, and including the software necessary for its proper application) intended, by the person under whose name it is or is to be supplied, to be used for human beings for the purpose of one or more of the following:
 - i. diagnosis, prevention, monitoring, treatment or alleviation of disease;
 - ii. diagnosis, monitoring, treatment, alleviation of or compensation for an injury or handicap;
 - iii. investigation, replacement or modification of the anatomy or of a physiological process; or
 - iv. control of conception, and that does not achieve its principal intended action in or on the human body by pharmacological, immunological or metabolic means, but which may be assisted in its function by such means; or
- (b) an accessory to such an instrument, apparatus, appliance, material or other article.

For the purposes of the Medical Devices Fund, the definition of a medical device includes those technologies that have a patient application which will impact the health system that are not considered to be drugs. These include technologies such as ‘omics’ technologies, apps, virtual technologies, remote diagnostics and nanotechnologies.

2.1 Applicants

The Medical Devices Fund can be accessed by eligible NSW organisations with innovative medical devices/technologies supported by intellectual property. Eligible organisations include public and private hospitals, medical research institutes, universities, start-ups and established SMEs.

An applicant must be:

- A financially viable company or commercial enterprise with the parent company based in NSW (e.g. location of manufacturing jobs, headquarters based in NSW, NSW investment,) and be able to provide evidence that the proposal connects and benefits NSW; have an Australian Business Number (ABN); typically with an annual turnover of less than \$25 million; and is a legal entity; or
- An individual based in NSW who agrees to form such an entity so that NSW Government can enter into legally binding funding agreements; or
- A NSW public research organisation applying through its appropriate technology transfer office, or the CEO or equivalent of the research organisation.

2.2 Projects

Projects throughout the medical device product life-cycle will be considered from a minimum Technology Readiness Level 3 (Technical proof of concept demonstration – see Appendix 2).

A risk mitigation approach to funding will be undertaken as it is acknowledged that funding for a medical device at the technical proof of concept phase is a much higher risk from the point of view of return on investment than funding for market ready product.

To be considered for the Medical Devices Fund, the project:

- must satisfy the definition of a medical device
- must seek to progress a medical device along the commercialisation pathway
- must be innovative (i.e. new to market, or new to world)

- should have the potential to assist health delivery in NSW
- must have been developed in NSW and derive health, economic, social and/or environmental benefit to NSW.

3. Application Process

Applications are called for once a year, and there is a two stage application process:

- (a) Preliminary Application – this is an early screening document of no more than 10 pages that allows the Medical Devices Fund Expert Panel to determine eligibility, review the opportunity and assess the quality of the application.
- (b) Full Application – the Medical Devices Fund Expert Panel will determine if a Preliminary Application will proceed to a Full Application. This is a more detailed document of 15-20 pages that covers all aspects of the opportunity. Applicants may be required to present the proposal or be interviewed. This stage is by invitation only.

To be eligible to be invited to submit a Full Application, applicants must submit a Preliminary Application.

The application forms are available online from the Office for Health and Medical Research website: <https://www.medicalresearch.nsw.gov.au/medical-devices-fund/>

Submission of Applications

- Applicants must submit one electronic copy of their application and video to the following email address: MOH-OHMRGrants@health.nsw.gov.au.
- Filenames must follow the naming convention of: 'Medical Devices Fund2021_organisation name' for preliminary applications and 'Medical Devices Fund2021_organisation name_attachment' for attachments.

- If you wish to deliver a USB, please send to:
Anne O'Neill
Director, Enterprise and International Partnerships
Office for Health and Medical Research
NSW Ministry of Health
1 Reserve Road
ST LEONARDS NSW 2065
- Enquiries should be directed to:
Office for Health and Medical Research
Tel. (02) 9461 7593
- Applications must be received by COB (5.00pm) on the due date.

4. Assessment Process

- The Medical Devices Fund Sub Group, which supports the Medical Devices Fund Expert Panel will conduct an initial review of the Preliminary Applications and provide the Expert Panel with advice regarding the eligibility and quality of the applications against the agreed criteria.
- The Medical Devices Fund Expert Panel will take this advice into consideration when reviewing the applications and determine which applications will proceed to Full Application. The Medical Devices Fund Expert Panel reserves the right to refer proposals to the Secretariat for further discussion and development with applicants. It will convene at most three times a round depending on suitable applications to review.
- All applications and supporting material will be treated commercial-in-confidence. If applications progress to Full Application an independent clinical expert review will be undertaken. An independent financial review will also be undertaken. Advice will also be sought from other relevant commercialisation, science and technical experts as required. All parties will be required to agree to the same confidentiality undertaking when reviewing applications.
- The Office for Health and Medical Research will provide the secretariat for the Medical Devices Fund Sub Group and Medical Devices Fund Expert Panel.

5. Selection Criteria

Applications will be evaluated against information and evidence provided in relation to the following selection criteria:

5.1 Applicant

1. A NSW-based organisation, which is not a subsidiary, supportive of the technology applying for funding.
2. The organisation's interest/involvement in the opportunity must have initially been derived from the activities of its researcher(s)/employee(s).
3. The organisation must benefit from the Medical Devices Fund investing in the opportunity. However, the benefit need not be financial.
4. The organisation researcher(s)/employee(s) to have some ongoing role in the development of the technology.
5. The organisation will derive financial benefit if the technology is commercialised.
6. The organisation receiving some of the funding to complete project activities.
7. The organisation will gain recognition/kudos if the technology is commercialised and will benefit from publications relating to the work to be funded.

5.2 Project

1. Demonstrate the potential state, national and/or international significance of the medical device and show how it will improve people's health and well-being.
 2. Demonstrate how the medical device will potentially deliver economic, social and/or environmental benefits for NSW.
 3. Demonstrate how the medical device will result in:
 - (a) Improved clinical outcomes
 - (b) Improved practice efficiency or effectiveness
 - (c) Improved ease of use
 - (d) Improved quality
 - (e) Improved safety.
- All submissions will be assessed against the Australian regulatory requirements for medical devices (TGA).

- Sufficient information and evidence must be provided by the applicants to enable the Medical Devices Fund Expert Panel to undertake a diligent review of the applications without the need to source significant further data/information to evaluate the submission.

6. Duration, Size and Payment of Grants

6.1 Grant duration and size

- Funding will be in the range of \$500,000 to \$5 million, depending on the product's stage of development, over a period of one to three years.
- The Ministry of Health requires repayment of the grant once the recipient earns a profit through the commercialisation of the device.
- The specific terms of this repayment such as time period, interest and other factors will be agreed on as part of the contract negotiations.

6.2 Payment of Grants

Payment of grants awarded under the Medical Devices Fund will be made directly to the applicant's organisation.

7. Reporting and Accountability Requirements

- All applicants are required sign a declaration form regarding details about legal proceedings, research or financial misconduct in the declaration form in the preliminary and full application.
- These details will not prevent the applicant from being considered for a Medical Devices Fund grant, however the Office for Health and Medical Research may request further information from successful applicants prior to entering into a funding agreement.
- If the successful applicant is found to have provided dishonest or false information, the Office for Health and Medical Research has the right to terminate the funding agreement.
- Successful applicants will be required to enter a Funding Agreement that outlines the State's obligations in relation to the flow of funds and the grant recipient's obligations in relation to reporting and accountability.

- All information provided in support of Medical Devices Fund applications may be subject to external audit under the Funding Agreement.
- Organisations will be awarded funding for one term at a time. The organisation must fulfil its obligations as set out in the Funding Agreement to receive funds for subsequent years within the funding period.
- An authorised signatory from the organisations awarded grants under the Medical Devices Fund will be required to sign the Funding Agreement with the State before funds are made available.