WORKING WITH THE IRB: WHY, WHEN, WHO, HOW, WHAT, & WHERE

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Executive Director, Human Research Protections and Quality Assurance
Objectives

1) WHY is IRB approval required?
2) WHEN do activities require IRB approval?
3) WHO can be a Principal Investigator?
4) HOW is IRB approval obtained?
5) WHAT are some tips for success?
6) WHERE is the IRB Office located?
Institutional Review Board (IRB)

- Protects the rights and welfare of research participants.
- Empowered to approve, require modifications, or disapprove Human Research.
- Ensures Human Research is scientifically/scholastically valid, ethical, and in compliance with all requirements.
- Ensures compliance through oversight functions.
WHY is IRB approval required?

Key historical events that led up to the development of federal regulations
Nuremberg Trials (1946-47)

- Post-WWII trials of 23 Nazi Doctors for war crimes and crimes against humanity
- 16 Doctors found guilty
- 7 Doctors received death penalty
- Lead to Nuremberg Code:
  - Principle #1: Voluntary consent is absolutely essential
Thalidomide Tragedy (1960’s)

- Thalidomide approved in Europe as sleeping pill (1950s)
- U.S. doctors received “free samples” to do “research”
- Frances Kelsey, MD (FDA) did not approve the drug in USA, due to lack of clinical evidence against side effects (1960)
- Link to newborn disabilities was made in 60’s
- >10,000 babies affected, worldwide
- 1962: Drug Amendments added to F,D,C Act
- 1963: Informed consent regulations established

- Eunice Rivers, RN hired to recruit participants into a six (6) week study
- Offered “free medical care” for “bad blood”
- Not offered penicillin (1943)
- Research continued for forty (40) years
Tuskegee Syphilis Study Exposé (1972)

- 1967-8: Peter Buxton, social worker, reports concerns to PHS, but is ignored for several years
- 1972: Blows whistle to the Associate Press
- 1973: Research stops and Congress investigates
National Research Act (1974)

- Created National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research
- Commission published many research guidance documents including The Belmont Report (1979)
- DHHS & FDA Published regulations Based on The Belmont Report (1981)
WHEN do activities require IRB approval?

It depends...
There are 6 types of IRB Review, as outlined in the table below:

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<tr>
<th>TYPE OF REVIEW</th>
<th>REQUIRED FORM</th>
</tr>
</thead>
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<tr>
<td>Determination Letter (indicates IRB review is NOT required)</td>
<td>Use this form to document and request such a determination.</td>
</tr>
<tr>
<td>Exempt Review</td>
<td>Follow the instructions on the “Application for Exempt Review”</td>
</tr>
<tr>
<td>Expedited Review</td>
<td>Follow the instructions on the “Application for Expedited or Full Review”</td>
</tr>
<tr>
<td>Convened (Full) IRB Review</td>
<td>Follow the instructions on the “Application for Expedited or Full Review”</td>
</tr>
<tr>
<td>Use of a Humanitarian Use Device (HUD) for clinical purposes</td>
<td>Follow the instructions on the “Application for HUD for Clinical Purposes”</td>
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<tr>
<td>External IRB Review (some multi-site research)</td>
<td>Follow the instructions on the “Application for External IRB Oversight”</td>
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Three Key Definitions:

*Research* means a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge.

*Research participant* means a living individual about whom an investigator (whether professional or student) conducting research obtains
1. data through intervention or interaction with the individual, or
2. identifiable private information.
Activities Requiring IRB Review

- **Clinical Trials** involving drugs, biologics, devices; including use of specimens to validate a medical device, diagnostic instrument, or laboratory test (FDA)

- **Research involving Protected Health Information (PHI)** from living or deceased patients or employees (HIPAA)

- **Human (Subjects) Research** as defined by “Common Rule” (45 CFR Part 46)
Is IRB Review Required for Human Research? (Under the Common Rule)

1) Is it research?
   - YES
   - If “NO” to either question, consult “IRB Decision Aid” or call IRB @ extension 8480

2) Does it Involve Research Participants (Human Subjects)?
   - YES
   - YES
   - Submit an IRB Application

If “NO” to either question, consult “IRB Decision Aid” or call IRB @ extension 8480.
A Research Activity is BOTH:

- A **systematic investigation** (including research development, testing, and evaluation)

-AND-

- Designed to develop or contribute to **generalizable knowledge**. Some demonstration and service programs may include research activities.
In order for research to be considered human research (and thus requiring IRB approval before the study begins), the research must involve *living individuals* about whom an investigator (whether professional or student) conducting research either

- obtains **information or biospecimens** through **intervention or interaction** with the individual, and uses, studies, or analyzes the information or biospecimens; or
- obtains, uses, studies, analyzes, or generates **identifiable private information or identifiable biospecimens**.
Is IRB Approval Required for Performance Improvement Activities?

- Performance improvement activities do not need IRB approval when
  - **Intent** is to improve internal operations, and there is
  - **No intent** to contribute to generalizable knowledge

**Example:**

- A clinic surveys patients to improve quality of service
- **Without changing intent**, clinic staff could
  - Share the results at a conference
  - Publish the results
Is IRB Approval Required for Pilot or Feasibility Studies?

- Is the activity research?
  - Is it planned, orderly, methodical?
  - Is data analyzed?
  - Does it develop future research?
  - Does knowledge apply to other populations?

- Is the activity human research?
  - Are “actors” used?
  - Can the investigators link the data to individuals?
Activities That DO NOT Require IRB Approval

- Emergency Use of investigational drug, device, or biologic
  - Obtain Medical Director approval
  - Notify IRB within five (5) days
- Off-label (clinical) use of an FDA approved drug
  - Requires Pharmacy approval
- Internal Healthcare Operations Activities
- Case Reports/Series of
  - Up to three (3) individuals
Activities That
DO NOT Require IRB Approval

☐ Research with de-identified data/specimens
  ▪ Based on IRB definitions

☐ Preparatory to Research Activities
  ▪ Must document with “Certification Form”

☐ When SUNY Downstate is “not engaged” in Human Research
  ▪ See: http://www.hhs.gov/ohrp/policy/engage08.html
WHO can be a Principal Investigator?
Who can be a Principal Investigator?

- Seasoned investigator with a field-specific terminal degree who is a Faculty Member at SUNY Downstate
- Clinician with clinical privileges at NYC H+H, Kings County
- Faculty member under recruitment to SUNY Downstate with written approval by a Dean
- Be approved to be a PI by written memo or e-mail from the Downstate Institutional Official
Who can be a Principal Investigator?

- Qualify to be a PI at an external site, when the research makes Downstate engaged:
  - Federal funding or support is provided to Downstate, or
  - Co-investigators or key personnel are:
    - Employee of SUNY Downstate
    - Resident or Fellow trained under a GME program affiliated with Downstate
    - Student in a Downstate Academic Program

Note: A PI who is an external employee to DMC and listed on a DMC IRB application agrees to abide by DMC policies for the duration of the study.
HOW is IRB approval obtained?

Follow instructions on IRB Electronic Submissions website:

http://research.downstate.edu/irb/irb-electronic-submissions.html
Institutional Review Board (IRB)

Electronic Submissions and Management of Downstate IRB Activities:

The Downstate Medical Center IRB uses an electronic IRB submission and reporting system (IRBNet) for the electronic submissions and management of human research activities and required reporting. Please refer to the guidance for the IRBNet (IRB Application and Reporting System) for more details on how to use the system. Application forms and template materials are provided below. Guidance and policy can be viewed by clicking on tab within the IRB Menu for Policies & Guidance. Information on required training and conflict of interest disclosures can be viewed by clicking on the tab within the IRB Menu for Training & Conflict of Interest.

Anyone associated with Downstate may create an IRBNet user name and password by following the instructions below:

Note: Each user agrees to comply with the Individual User Terms of Use policy which may be found at https://www.irbnet.org/release/public/terms.jsp

**Step 1: Create an IRBNet user account**

- Go to www.irbnet.org and click the “New User Registration” link. Follow the online instructions. Complete all items with red asterisk (*). When asked to identify your “organization” type SUNY in the text box and then select “SUNY Downstate Medical Center, Brooklyn, NY”.
- Remember to click on the “Register” button in order to finalize your “New User Registration.”
- Press the “Continue” button on the “Registration is Complete” page and follow “Step 2” to activate your IRBNet user account.

**Step 2: Activate your IRBNet user account**
Types of IRB Applications

- Determination Letter (indicates IRB review is NOT required)
- Exempt
- Expedited
- Full Board (Convened IRB Review)
- Clinical Use of an Humanitarian Use Device (HUD)
- External IRB (some multi-site research)
Exemption Categories*

1) Normal educational practices in established educational settings
2) Educational tests, surveys**, interviews**, or observation of public behavior – unless identified & sensitive
3) Research on elected or appointed officials or candidates for public office
4) Research on existing data, if publically available or recorded without identifiers
5) Evaluation of public service programs
6) Taste and food quality evaluation and consumer acceptance studies

* Does not apply to research with prisoners.
** Does not apply to research with children.
Examples of Expedited Review

- Clinical studies of drugs and medical devices only under specific conditions
- Chart reviews
- Survey research which is sensitive and includes identifiable information
- Collection of blood samples
- Biological specimens obtained by non-invasive means
- Collection of data through non-invasive means
- Materials collected solely for non-research purposes
- Collection of data from voice, video, etc.
- Research employing surveys, focus groups, etc.
- Continuing review under specific conditions

Examples of Full Board Review

- Studies involving greater than minimal risk
- Clinical Trials involving IND, IDE, HUD, or NSR device
- Humanitarian Use Device (HUD) for clinical purpose
- Initial review of research that meets the criteria for “expedited review” that involves:
  - Biomedical interventions with children, pregnant women, neonates, prisoners, or cognitively impaired adults
  - Certificate of Confidentiality
External IRB Oversight

- Can request the use of an external IRB for multi-site studies

- Cannot be used for the following:
  - IDE studies
  - Downstate as a single site
  - Research reviewed by DMC IRB and determined to require revisions or has not been approved by DMC IRB
Conflict of Interest Disclosures and Training Requirements

- Conflict of Interest Disclosures required for “Investigators for the purposes of COI,” as determined by PI.
  - The PI does not need to include transient staff and trainees, such as medical students, residents and fellows who merely implement a protocol developed by an Investigator or enter data into an electronic data capturing system.

- All CITI and other training requirements must be completed

- See IRB Guidance: http://research.downstate.edu/irb/irb-training.html
Electronic Signature Requirements

- PI
- Scientific Review Committee (and SRC form)
- Department Chair
- Pathology Services, when applicable
- Pharmacy, when drug or biologic is involved
- Paper Signatures (when applicable):
  - IBC Approval Letter
  - Letter of support for external institutions
WHAT are some tips for success?

Before, during, and after IRB approval...
## Apply the Belmont Principles

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<thead>
<tr>
<th>Principle</th>
<th>Application</th>
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</table>
| **Respect for Persons** | - Informed Consent, Parent/Legal Guardian Permission, or Legally Authorized Representative  
                        | - Disclose all information  
                        | - Ensure comprehension  
                        | - Ensure voluntariness |**
| - Protects autonomy     |                                                                             |
| - Protect those with diminished autonomy |                                                                             |
| **Beneficence**         | - Risk/benefit ratio must be justified                                       |
| - Do no harm            |                                                                             |
| - Maximize benefits     |                                                                             |
| - Minimize risks        |                                                                             |
| **Justice**             | - Equitable selection  
                        | - Recruit those with limited English proficiency when there is a therapeutic benefit |
| - Equal distribution of benefits and risk |                                                                             |
Apply IRB Policy and Guidance

- Follow IRB-01 policy
- Understand criteria for IRB approval
- Follow IRB guidance on how to use IRBNet
- Follow IRB guidance which is applicable to the study
- Notify investigators to complete training and COI disclosures in advance
- Comply with all regulatory requirements
Seek Help From Mentors & Biostatistician

- Consult with your mentors
- Ensure valid research methodology is used
- Include a statistical plan
- Contact a Biostatistician in your Department for help or:
  - Jeremy Weedon, PhD
  - Dimitre G. Stefanov, PhD
Include All Required Materials

- Registration Form (IRBNet Wizard Form)
- Protocol
- IRB Application
- Informed Consent Document
- All other applicable materials described on IRB Website
Request IRB Office Pre-Review (Optional)

- Click “Share this Project” and send to IRB Staff to request Pre-Review
- IRB Staff will review against policy and regulations and provide feedback and suggested revisions
Most Important Tip

- Don’t forget to click the “Submit this Package” button.

- The IRB cannot see any materials until they are officially submitted in IRBNet.
Types of IRB Approval/Disapproval

- Approve
- Approve with conditions
  - Response reviewed by expedited review
- Require modifications to secure approval
  - Response reviewed by Full Board, if initial review was required by Full Board
- Disapprove
Respond to the IRB in a Timely Manner

- "Unlocked" package by IRB:
  - Revise as requested
  - Lock package and mark revisions complete

- "Modifications Letter" published by IRB:
  - Submit follow-up package
  - Include point by point response cover letter

- **CAUTION:** Withdrawn by IRB if response is not timely
Understand Post IRB Approval Requirements

- Check IRB approved materials for accuracy
- For NYC H+H, Kings County studies, obtain STAR approval
- Obtain Pre-Awards approval, when applicable
- Obtain legally effective informed consent, using IRB approved “stamped” document(s)
Understand Post IRB Approval Requirements

- Submit follow-up applications within required deadlines
  - Continuing Review
  - Amendments
  - Reportable Events
  - Final Report
- Be prepared to participate in audits
WHERE is the IRB Office located?

Call or visit us for help...

Follow the “10 minute” rule...
IRB Office

- 9 am to 5 pm
- Appointments are recommended; however, walk-ins accepted anytime
- Basic Science Building: Room 3-26
  - Near elevator that goes to cafeteria
IRB Contacts

<table>
<thead>
<tr>
<th>Name</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phyllis G. Supino, EdD, IRB Chair</td>
<td>(718) 613-8355</td>
</tr>
<tr>
<td>Daniel Cukor, PhD, Vice Chair, Board A</td>
<td>(718) 270-2077</td>
</tr>
<tr>
<td>Stanley Friedman, MD, Vice Chair, Board B</td>
<td>(718) 270-1335</td>
</tr>
<tr>
<td>Kevin L. Nellis, MS, CIP, Executive Director, Human Research Protection &amp; Quality Assurance</td>
<td>(718) 613-8461</td>
</tr>
<tr>
<td>Diann Johnson, MPH, Associate IRB Administrator</td>
<td>(718) 270-4341</td>
</tr>
<tr>
<td>Danielle Lewis, MD, MPH, IRB Management Analyst</td>
<td>(718) 270-4454</td>
</tr>
<tr>
<td>Nikol Celestine, BA, CIP, IRB Management Analyst</td>
<td>(718) 270-4411</td>
</tr>
<tr>
<td>Nakih Gonzales, IRB Assistant</td>
<td>(718) 270-4372</td>
</tr>
<tr>
<td>IRB Office (BSB 3-26)</td>
<td><a href="mailto:IRB@downstate.edu">IRB@downstate.edu</a></td>
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Summary

- Know when IRB approval is required
- Submit online application
- Follow instructions and guidance
- Call the IRB for help
Contact Information

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Office of Research Administration - Institutional Review Board

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