TOP 12 IRB TIPS

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Objectives
By the end of this presentation, participants will be able to:
1) Cite how to apply the ethical principles of the Belmont Report to Human Research
2) Describe when an IRB application is required.
3) Provide examples of research activities that may be approved under the various IRB review pathways.
4) Cite tips on how to work with the IRB and submit a complete application

Disclaimer
Presentation is based on:
- Current IRB regulations
- DRAFT Downstate IRB-01 policy (expected to be finalized soon)
- The Common Rule (45 CFR 46) was revised on 1/19/2017 and new changes (not included in this presentation) will go into effect on 1/19/2018: https://www.hhs.gov/ohrp/regulations-and-policy/regulations/finalized-revisions-common-rule/index.html
- Regulatory freeze pending OMB/HHS review within 60 days
- Congress has the option to repeal revisions

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.

Belmont Principles

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<th>Principle</th>
<th>Application</th>
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| Respect for Persons | - Protect autonomy
- Protect those with diminished autonomy
- Informed Consent, Parent/Legal Guardian
- Representing
- Disclose all information
- Ensure comprehension
- Ensure voluntariness |
| Beneficence | - Do no harm
- Maximize benefits
- Minimize risks
- Risk/benefit ratio must be justified |
| Justice | - Equitable selection
- Recruit those with limited English proficiency when there is therapeutic benefit |

Apply “The Belmont Principles” to Human Research
Know Whether IRB Approval Is Required

IRB Decision Aid

Activities Requiring IRB Review

- Clinical Trials involving drugs, biologics, devices; including use of specimens to validate 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 @ X8480
- 2) Does it Involve Research Participants (Human Subjects)?
- YES
- Submit IRB Application

Is it Research? (Under the Common Rule)

A systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge

Does it Involve Research Participants (Human Subjects)? (Under the Common Rule)

- Living individuals about whom an investigator conducting research, obtains either...
  - Data through intervention or interaction with the individual, or
  - Individually identifiable private information (including identifiable specimens)
For Additional Help
- IRB Decision Aid (in IRBNet)
- 50 Shades of Gray Presentation (in IRBNet)
- Call the IRB at extension 8480

Is IRB Approval Required for Performance Improvement Activities?
- Performance improvement activities do not meet the definition of human research when the intent is to improve internal operations and not to contribute to generalizable knowledge.
  Example:
  A clinic conducts a survey of patients to find out if the clinic is meeting the needs of Downstate.
  The activity is systematic, but is not considered research because the intent of the project is to improve the service to its patients, rather than contribute to a body of knowledge.
  Clinic staff could share the results of their performance improvement activity at a conference or publish the results without changing the intent.

Is IRB Approval Required for Pilot or Feasibility Studies?
- Is it a systematic investigation?
  - In general, YES
- Is it designed to develop or contribute to generalizable knowledge?
  - YES, if it develops or contributes to generalizable knowledge, including the development of future human research.
  - Does it involve living individuals about whom an investigator conducting research, obtains data through an intervention or interaction or individually identifiable private information?
    - It depends on the activity.

Is Downstate IRB Approval Required for ______?
- Exempt human research - always
- Publicly available data - it depends
- Class projects - it depends
- Use of anonymous data - it depends
- Oral history - it depends
- Data that is already in the possession of the PI - it depends
- Sharing data or specimens with an external site - it depends

Activities That DO NOT Require IRB Approval
- Emergency use of an investigational drug, device, or biologic (must notify IRB within 5 days of use)
- Off-label use of an FDA approved drug (requires Pharmacy approval) for clinical purposes
- Internal Healthcare Operations Activities (e.g., performance improvement; not intended for research)
- Case Reports/Series (up to 3 individuals, living or deceased)

Activities That DO NOT Require IRB Approval
- Research with de-identified data set (based on IRB definitions)
- Preparatory to Research Activities (with Certification Form)
- When SUNY Downstate is "not engaged" in Human Research
  See: http://www.hhs.gov/ohrp/policy/engage08.html
Understand the 5 Different Types of IRB Approval

Types of IRB Review

- Determination Letter (indicates IRB review is NOT required)
- Exempt Review
- Expedited Review
- Convened (Full) IRB Review
- External IRB Review (some multi-site research)

Determination Letter Requests

- IRB will issue a determination letter stating IRB approval is not required, when applicable.
- Contact the IRB or submit the IRB Decision Aid Form in IRBNet

Exemption Categories*

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

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

* Does not apply to research with prisoners.
** Does not apply to research with children.
External IRB Oversight

- Can request the use of an external IRB for multi-site studies
- Cannot be used for the following:
  - IDE studies
  - DMC as a single site
  - Research reviewed by DMC IRB and determined to require revisions or has not been approved by DMC IRB

IRB Reliance (Authorization) Agreement may be required:
- National Cancer Center Central IRB
- Biomedical Research Alliance of New York IRB (BRANY)
- Research team must follow procedures, policies, directives, determinations and practices of the external IRB, DMC IRB, and any applicable agreements.
- DMC PI must complete and submit DMC’s IRB Application for External IRB Oversight

External IRB Oversight

- Local research context must be addressed:
  - Ancillary reviews
  - Training
  - Conflict of Interest disclosures
  - HIPAA documents, if applicable
- DMC IRB must acknowledge External IRB approval before research can begin at Downstate
- All IRB notices from External IRB must be submitted to DMC IRB within 30 days.
- Limited continuing review/progress report required at DMC IRB.

Tips to Downstate IRB Acknowledgement of External IRB Approval

- When applicable seek IBC approval in advance
- Work on IRB Reliance Agreement in advance
- Add our Institutional Official Information to agreement: Mark Stewart, MD, PhD, Interim Provost, Operations Manager.
- Obtain signature on IRB Reliance Agreement from external site first.
- Send signed agreement to Kevin Nellis with a summary of the protocol.
- If the External IRB requires other types of Ancillary reviews, share project with local reviewer in IRBNet for e-signature. Downstate IRB can provide a letter to External IRB.
- Ensure all local research context issues are addressed (e.g., COI and training)
- Ensure ancillary reviews are complete

External IRB Oversight

- We do not require SRC review at the local level.
- If the External IRB does not stamp the consent, the Downstate IRB will do it.
- If the External IRB does not serve as a Privacy Board, the Downstate IRB will serve as a Privacy Board and need to review any documents or language related to HIPAA.
- If external site does not have HIPAA Authorization language in their standard informed consent template, use ours.

Submit your “IRB Application” or “IRB Determination Request” in IRBNet
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 fields 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
- After successful completion of "Step 1," the user will receive an activation email to the registered email address.
- Click on the link within that email to activate your IRBNet account.
- You may begin using IRBNet as soon as activation is complete.

See IRBNet page: “FORMS & TEMPLATES” for policy, guidance, applications, and templates.

10 minute rule:
- If you can’t figure out how to do something in 10 minutes call the IRB Office at (718) 613-8480
Collaborate with Mentors & Statisticians

Seek Help From Mentors & Biostatistician
- Consult with your mentors
- Include statistical plan in IRB application
- Contact a Biostatistician in your Department for help, or contact:
  - Jeremy Weedon, PhD
  - Dimitre G. Stefanov, PhD

Consider Ancillary Review Requirements

Ancillary Reviews

- Scientific Review Committee
  - Study team sends to Department SRC or Downstate Cancer Center SRC for form completion and e-signature
  - Department Chair
    - Study team sends to Department Chair for e-signature
  - Other Department Chairs involving multiple departments
- Financial Conflict of Interest Committee
  - IRB Reviews disclosures in COI Smart
  - If SFI is present, Management Plan must be finalized before IRB approval

Ancillary Reviews

- Research Pharmacy
  - Studies involving a drug or biologic agent
  - Complete pharmacy questions on IRB application
  - Share IRB package with Motria Mishka for review and e-signature
- Pathology
  - Required if services or assistance is needed from UHB Pathology
  - See UHB Forms in IRBNet or contact UHB Pathology at X1689 for help
  - Share IRB package with UHB Pathology representative for review and e-signature

Ancillary Reviews

- Institutional Biosafety Committee
  - Human cells or body fluids*, Infectious agents*, Hazardous substances*, Recombinant or Synthetic Nucleic Acid Molecules**
  - Others, if required by IRB:
    - Radiation Safety, Data Security Officer, Privacy Officer, Awards Office, Medical Director, Office of General Counsel

*IBC not required if all materials are collected/handled by CLIA certified labs
**NIH Recombinant DNA Advisory Committee Approval Letter also required
# Understand Requirements for FDA Regulated Trials

**FDA Requirements for IND (Investigational New Drug)**
- IND required for investigational drugs or biological agents
- IND may be required for FDA approved agents in certain research (e.g., to change marketing, label, administration route)
- Submit IND Letter to IRB (from FDA or Sponsor)
- Submit Form 1572 (statement of investigator) to the Sponsor and the IRB

**FDA Requirements for IDE (Investigational Device Exemption)**
- Follow IDE requirements when evaluating the safety and efficacy of investigational devices
- IDE required for Significant Risk (SR) device evaluations
- IRB can approve Non-Significant (NSR) device studies without an IDE

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**“Investigator for the Purposes of COI”**
- "Investigators for the purposes of COI" are determined by PI.
  - Those who are responsible for the design, conduct or reporting of research.
  - 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.
  - May still recruit patients and/or collect and handle data under supervision.
  - However, include all "Investigators" in the IRB application, regardless of status.

**Conflict of Interest Disclosures**
- Required for "Investigators for the purposes of COI," as determined by PI.
  - SUNY Downstate research staff must submit the following disclosures:
    - Annual Conflict of Interest (COI) Disclosures
    - Declaration of New Research Project or "Transcational Questionnaire"
  - All OTHER research staff (including KCHC):
    - Provide the conflict of interest (COI) determination from their employer.
    - KCHC complete NYC+HHC COI Form and process
Training Requirements

- All Research Staff:
  - Human Subjects Training: Collaborative Institutional Training Initiative (CITI)
  - HIPAA Compliance Training (KCHC staff must take optional CITI module)
  - “Investigators for the purposes of COI”
    - Conflict of Interest (COI) and Research Misconduct Training
    - KCHC staff must take optional CITI module
  - Staff who ship specimens:
    - Dangerous Goods Shipping Certification
  - GCP training required for NIH funded Clinical Trials and by some industry sponsors

Submit All Applicable Materials

**Answer All Questions in IRB Application & Submit All Applicable Materials**

**INFORMED CONSENT/INFORMATION SHEETS (IF APPLICABLE):**
- Consent Form(s)/Parental Permission Form(s) or Information Sheet
- Assent Form(s)
- Short Form(s)

**WAIVERS (IF APPLICABLE):**
- HIPAA Waiver(s)
- Waiver of Informed Consent
- Waiver of Documentation of Informed Consent

Submit All Applicable Materials

**INCLUDE ANY OF THE FOLLOWING WHEN APPLICABLE TO THE RESEARCH:**
- HIPAA Preparatory to Research Certification Form
- Recruitment materials
- Recruitment Authorization Form
- Questionnaires/Surveys
- Data Collection Tools
- Investigator Brochure, FDA Form 1572, IND letter
- Device Package Insert for IDE study.
- CV, Bioketch, or Credentials
- Letters of support

Submit All Applicable Materials

**REQUIRED FOR ALL NEW SUBMISSIONS:**
- Registration Form
- Application for New Study
- Scientific Review Worksheet (completed by SRC)
- Complete Protocol

**REQUIRED FOR ALL FEDERALLY FUNDED/SUPPORTED STUDIES:**
- Grant Application or Grant Cover sheet

Submit All Applicable Materials

**Non-English Speaking/Reading or Limited English Proficiency**

- Translated materials (informed consent, recruitment materials, diaries, surveys…) must be approved by the IRB
- Obtain IRB approval of English version 1st; then amend study
- Provide the following, with amendment:
  - Certificate of translation
  - Back translation
Non-English Speaking/Reading or Limited English Proficiency
- The use of a Short Form with oral translation may be approved by the IRB in limited situations
- Short Form must be stamped by IRB
- Short Form available in common languages
- Adhere to signature requirements

Waiver of Requirements for Informed Consent/HIPAA Authorization
- Informed Consent Waivers
  - Waiver of required element(s) of informed consent
  - Waiver of informed consent (process)
  - Waiver of documentation (signature) of informed consent
- HIPAA Waivers (Full, Partial, Alteration) for PHI
  - Full - Waiver of HIPAA Authorization requirement (e.g., for retrospective chart review)
  - Partial - Waiver for reviewing records for recruitment activities, while obtaining HIPAA Authorization during enrollment
  - Alteration - Waiver of required elements (e.g., signature)

Signature Requirements
- Electronic Signatures in IRBNet:
  - PI
  - Scientific Review Committee (and SRC form)
  - Department Chair
  - Pathology Services and Pharmacy, when applicable
- Paper Signatures (when applicable):
  - IBC Approval Letter
  - Letter of support for external institutions

Request Pre-Review (Optional)
- This can be done while waiting for signatures or for others to submit final COI/Training materials.
- Share package with IRB Staff and request Pre-Review, if desired (before submission).
- IRB Staff will review and provide feedback and suggested revisions before package is submitted.

Obtain All Required Signatures Before Submitting to IRB

Tip #10

Obtain All Required Signatures Before Submitting to IRB

Tip #11

Respond to IRB in a Timely Fashion
Responding the IRB

- Revise the submission package if “Unlocked” by IRB (e.g., revise, lock package, then mark revisions complete).
- Submit follow-up package, if “Modifications Letter” is received (e.g., submit package #2).
- Submission is withdrawn by IRB if late.

Know What to do After Receiving IRB Approval

Post IRB Approval Requirements

- Check IRB approved materials for accuracy.
- For KCHC studies, obtain STAR approval.
- Obtain grant and budget approvals.
- Obtain legally effective informed consent, using IRB approved “stamped” document(s).
- Submit Continuing Review, Amendments, Reportable Events, and Final Report within required reporting deadlines.
- Participate in audits.

IRB Contacts

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<tr>
<th>Name</th>
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