"It was more of a 'triple-blind' test. The patients didn't know which ones were getting the real drug, the doctors didn't know, and, I'm afraid nobody knew."
Navigating the IRB

Elaine Larson
CUMC IRB Chair
Associate Dean for Research,
School of Nursing
Professor of Epidemiology,
Mailman School of Public Health
Oversight for Human Research

- **Office of Human Research Protection (OHRP)**
  - [http://www.hhs.gov/ohrp/humansubjects/guidance/45cfr46.htm](http://www.hhs.gov/ohrp/humansubjects/guidance/45cfr46.htm)
- **FDA**
- **New York State**
OHRP

• Reviews institutional compliance with federal regulations governing the protection of human subjects in HHS-sponsored research (~50,000 protocols)

• Evaluates all written substantive allegations or indications of noncompliance with the HHS regulations
IRB Members

- At least five members, with varying backgrounds
- Sufficiently qualified through the experience, expertise and diversity of its members
- At least one member whose primary concerns are in scientific areas, whose primary concerns are in nonscientific areas, unaffiliated with institution
Criteria for Approval

• Risks to subjects are minimized
• Risks to subjects are reasonable in relation to anticipated benefits
• Selection of subjects is equitable
• Informed consent is sought and documented
• Adequate provision for monitoring data and protecting privacy/confidentiality
Required Elements of Informed Consent

• Statement that this is research
• Explanation of the purposes of the research
• Expected duration of participation
• Description of the procedures
• Identification of any procedures which are experimental
Required Elements....

- Foreseeable risks or discomforts
- Benefits to participant or others
- Alternatives
- Maintaining confidentiality
- Compensation or treatment if injury occurs
- Contact information
- Statement that participation is voluntary, refusal to participate will involve no penalty or loss of benefits
Waiver of Consent

- No more than minimal risk;
- Waiver will not adversely affect rights and welfare;
- Could not practically be carried out without the waiver;
- Whenever possible, participants will be provided with pertinent information
Waiver of Documentation of Consent

• The only record linking the subject and research would be the consent document and the principal risk would be potential harm resulting from a breach of confidentiality OR

• The research presents no more than minimal risk and involves no procedures for which written consent is normally required outside of the research context.
Additional Protections For...

- Pregnant Women, Human Fetuses and Neonates
- Prisoners
- Children
Examples of Exculpatory Language

• By agreeing to this use, you should understand that you will give up all claim to personal benefit from commercial or other use of these substances

• I waive any possibility of compensation for injuries that I may receive as a result of participation in this research
Examples of Acceptable Language

• By consenting to participate, you authorize the use of your bodily fluids and tissue samples for the research described above.

• This hospital is not able to offer financial compensation nor to absorb the costs of medical treatment should you be injured as a result of participating in this research.
Columbia University's

Finding Funding

Processing Contracts & Grants

CV Builder

Administration

Research Administration System

Compliance
animal care
human subjects (IRB)
HIPAA
consent forms
hazardous materials
testing center

My Rascal

Conflict of Interest

Help Me
phones, forms, faqs, policies
Required Training--CUMC

• HIPAA
• Research involving children
• CITI modules (about 5)
Certificate of Confidentiality

• So that researcher is not compelled in any federal, state, or local civil, criminal, administrative, legislative, or other proceedings to identify research participants

• Issued by NIH (only after IRB approval)
Levels of IRB Review

- Full Board
- Expedited
- Exempt
**Expeditied Review**

- Review by IRB Chair or designated voting member rather than by the entire IRB Committee
- Permitted for research involving no more than minimal risk and for minor changes in approved research
Expeditable Categories

- Clinical studies of approved drugs or medical devices being used in accordance with their labeling
- Collection of blood by finger, heel or ear stick or venipuncture
- Non-invasive collection of biological specimens
- Collection of data through noninvasive procedures routinely used in clinical practice (except x-rays, microwaves, general anesthesia or sedation)
Expeditable Categories

- Research with materials collected solely for non-research purposes
- Voice, video, digital, or image recordings
- Survey, interview, oral history, focus group, program evaluation, human factors
- Evaluation or quality assurance
- Continuing review of many previously approved studies or minor changes
- Cooperative agreements
Exempt Determination (IRB)

- Research conducted in educational settings, involving normal educational practices or tests
- Study of existing data or specimens if
  - publicly available
  - information is recorded so that subjects cannot be identified
How Readable Are Consent Forms?

- Evaluated 100 forms approved by IRB in 2013-14
- Readability determined by Flesch-Kincaid formula using first two paragraphs of procedures section
## Reading Level by Department

<table>
<thead>
<tr>
<th>Department</th>
<th>Reading Level</th>
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<tbody>
<tr>
<td>Surgery</td>
<td>13.1</td>
</tr>
<tr>
<td>Medicine</td>
<td>11.7</td>
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<tr>
<td>Centers</td>
<td>11.0</td>
</tr>
<tr>
<td>Pediatrics</td>
<td>10.5</td>
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P = 0.008
## Length of Consent Forms

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<tr>
<th>Surgery</th>
<th>Medicine</th>
<th>Centers</th>
<th>Pediatrics</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.8 pages</td>
<td>11.0 pages</td>
<td>13.8 pages</td>
<td>6.7 pages</td>
</tr>
</tbody>
</table>

P=0.053
Hence,

- Forms generally met OHRP standards
- Readability was much higher than recommended 6th grade
- Length was variable but no correlation between length of form and readability
Exemptions

- Research conducted by or subject to approval of Department or Agency heads designed to study public programs
- Taste and food quality evaluation and consumer acceptance studies
Other Review Processes

- Cancer Committee
- Radiation Safety Committee
- Conflict of Interest Committee
- Hazardous Materials Committee (even for blood draws)
- Stem cell research
- Prisoner research
- Individual departments
- IRB is last to approve after all these!
HIPAA and Research

• Many researchers need to address the Privacy Standard of HIPAA

• This may require submission of authorization, waiver of authorization, or preparatory to research documents to the Privacy Board

• This is separate from IRB review
Other issues

- Investigational new drug (IND) application
- Investigational device exemption (IDE)
- Humanitarian device exemption
- Emergency use protocols
- Compassionate use protocols
Investigational New Drug (IND)

- Application is filed with the FDA when a pharmacological agent is being tested for safety and effectiveness in humans or when an FDA approved drug is being used in a different dosage, for a different purpose, or in a different population than previously approved by the FDA.
**Investigational Device Exemption (IDE)**

- Mechanism by which new medical devices that could impose "significant risk" to subjects are tested.
- IDE allows an investigational device to be used in a study to gather data on safety and efficacy of the device.
- IDE is also required for an approved device which is being used off-label in a research study.
Humanitarian Device Exemption

- For devices that may benefit patients with a disease that affects <4,000 individuals in the U.S. per year.
- Because manufacturers may be less inclined to put resources toward devices for diseases in so few individuals, HDE provisions were created to provide greater access for the use of such devices.
Center for Drug Evaluation and Research

- [http://www.fda.gov/cder](http://www.fda.gov/cder)
- Largest of FDA's five centers, with a staff of about 1,800.
- Responsible for both prescription and over-the-counter drugs.
- Investigational New Drug (IND) applications are administered by CDER
Center for Devices and Radiological Health

- [http://www.fda.gov/cdrh](http://www.fda.gov/cdrh)
- Oversees investigational device exemptions (IDE) and humanitarian device exemptions (HDE)
Emergency Use Protocols

• When there is need to use an investigational device in a manner inconsistent with the approved investigational plan or by a clinician not part of the clinical study

• Emergency use of an unapproved device may occur before an IDE is approved.
  – Life-threatening or serious disease or condition
  – No alternative
  – No time to obtain FDA approval
Compassionate use

• For patients who do not meet the requirements for inclusion in a study, but the treating physician believes the device may provide a benefit

• Typically approved for individual patients but may be approved to treat a small group
  – Serious disease or condition
  – No alternative
New York State Law

- No human research in the absence of the voluntary informed consent in writing by the human subject.

- For minors, consent in writing by the parent or legal guardian.

- As of 2009, can get surrogate consent for minimal risk studies with potential for benefit
Informed consent is a three-step process: ACE

1. Assessing readiness
2. Conferring information
3. Ensuring understanding
Common statements that can cause a miscommunication

Perhaps you'd like to donate some of your genes to a biobank.

What's a biobank?

What am I agreeing to?
Words that have several meanings

What we say: “You will be randomized to a treatment group -- experimental drug versus placebo.”

The participant is thinking:

What’s randomized?
What’s a placebo?
Is the placebo a treatment group?
or

What we say: “This study uses gene-therapy”

The participant is thinking:
‘therapy’ that sounds good to me.
Playback Method:
At the end of every encounter, ask...

“In order to make sure I explained this study correctly, can you tell me in your own words the purpose of the study and what will happen if you chose to participate?”
What Kind of Review?

- Relationship between sleeping patterns and acting-out behavior in hospitalized psychiatric patients
- Effects of a new drug treatment for diabetic patients
- Prevalence of violent behavior in NYC jails
- Cardiovascular effects of exercise following acute MI
- Comparison to two teaching methods for insertion of central lines
What Kind of Review

- Chart review of neurological outcomes of patients following one type of neurosurgery
- Hormonal levels in normal women during the menstrual cycle
- Random digit dialing interviews in NYC to assess rates of influenza-like illness
- Survey of medical fellows regarding attitudes toward practice guidelines