

OFFICE FOR THE PROTECTION OF RESEARCH SUBJECTS

INSIDE THIS ISSUE:

<i>Tips for Investigators</i>	2
• <i>How Do I Make a Change in my Research?</i>	
<i>Test Yourself</i>	4
• <i>Protocol Exception: A Case Study</i>	
<i>Continuing Education Opportunities for Investigators</i>	5
<i>News for Investigators</i>	6

A MESSAGE FROM THE DIRECTOR OF THE OFFICE FOR THE PROTECTION OF RESEARCH SUBJECTS

At OPRS, 2010 began with a bang!

The long anticipated AAHRPP site visit began January 12th. In four days, AAHRPP interviewed over 100 investigators, coordinators, IRB members and OPRS staff. Although the official announcement will not arrive until after the AAHRPP committee decision in March, we are optimistic as the informal feedback was very positive. I would like to thank the UIC research community, and especially the interviewees, for their support and patience.



James H. Fischer
Director, OPRS

On February 1, Dr. Joe G.N. Garcia became our Vice Chancellor for Research. We look forward to his leadership at UIC.

In this issue, we take some time to explain how to handle changes in the research. Is an Amendment the only way this can be done? When is it appropriate to request a protocol exception? What are the issues? A case study is provided for you to test your knowledge.

On May 21, 2010, UIC will co-host the OHRP Regional Research Regulatory Forum 2010 with Rush University Medical Center. This year's theme is *Regulatory Responsibility and Innovative Research: An Opportunity for Partnership*. Please see the education page in this issue for further details.

UIC OPRS is here to help you with any questions you may have concerning our policies, procedures, forms and training requirements. Please contact OPRS anytime from Monday - Friday, 9am-5pm at 312 996-1711.

Jim Fischer
Director OPRS



TIPS FOR INVESTIGATORS

HOW DO I MAKE A CHANGE IN MY RESEARCH? WHAT YOU NEED TO KNOW.

Here is an example of a problem often encountered in a research study:

“I have a person I’d like to enroll into a research study who doesn’t meet the eligibility criteria that was approved by the IRB. Is there anything I can do?”

The answer:

There are two possible avenues for obtaining approval to enroll this person:

- amendment
- protocol exception

Routinely, investigators should submit an amendment to obtain prospective IRB approval when a change in the eligibility criteria is required. On rare occasions, however, investigators may opt to submit a protocol exception. Like an amendment, a protocol exception is a type of planned change to the research. Unlike an amendment, a protocol exception involves a single subject or, less commonly, a small group of subjects and is not a permanent revision to the research protocol. Similar to an amendment, IRB approval of a protocol exception must occur prior to its implementation. If the research involves an investigational agent (drug, device, or biologic), prior approval by the sponsor is also required. Additionally, when the research involves an investigational device and the changes or deviations may affect the scientific soundness of the plan or the rights, safety, or welfare of the subjects, FDA pre-approval is required [21 CFR 812.150 (4)].

INVESTIGATOR TIP: OPRS generally encourages investigators to obtain approval of a change to the research via amendment rather than via a protocol exception. The primary reason is efficiency. Both amendments and protocol exceptions must be prospectively approved by the IRB (and possibly by the FDA). If the approval is obtained via amendment, then the change can be applied to other subjects in the future. If the change is approved for a single subject only via a protocol exception, then the process would need to be repeated for each similar subsequent subject. For example, if a research protocol has an upper age limit of 65 years, a principal investigator (PI) could submit a protocol exception to enroll one 70 year old subject; however, if the PI submits an amendment changing the upper limit of the age range from 65 to 70 years, there would be no need to submit protocol exceptions to enroll additional 66-70 year old subjects.

The following is a comparison of amendments and protocol exceptions:

Amendment	Protocol Exception
Permanent change to the research	An exception being made for a single subject
Time frame: the change can wait for a convened IRB review	Time frame: subject safety requires the change to be made prior to a convened IRB meeting

Continued on page 3

HOW DO I MAKE A CHANGE IN MY RESEARCH? WHAT YOU NEED TO KNOW.

CONTINUED FROM PAGE 2

Similarities between an amendment and a protocol exception: **BOTH NEED IRB APPROVAL.**

Also note:

- **Like an amendment:** IRB approval of a protocol exception must occur prior to its implementation.
- **Unlike an amendment:** a protocol exception involves a single subject or, less commonly, a small group of subjects and **is not a permanent revision** to the research protocol.
- **If the research involves an investigational agent** (drug, device, or biologic), prior approval by the sponsor is also required.
- **When the research involves an investigational device** and the changes or deviations may affect the scientific soundness of the plan or the rights, safety, or welfare of the subjects, FDA pre-approval is required [21 CFR 812.150 (4)].
- If applicable, documentation of sponsor and FDA approval of the protocol exception is submitted to the UIC IRB along with the exception request.
- Additional documents may include subject information sheet or script of information to be conveyed to subject.
- An exception must be requested even if a continuing review application has been submitted.
- A protocol exception does not replace or represent continuing IRB review of the research.

As a PI, you are responsible for submitting any protocol exceptions **prior** to initiation of the change to the IRB. Your failure to submit all protocol exceptions represents non-compliance with the federal regulations, UIC policies and determinations of the UIC IRB. (Refer to UIC HSPP policies, [Unanticipated Problems and Other Events Requiring Prompt Reporting, Handling Complaints and Allegations of Potential Non-Compliance with Human Subject Protection Regulations, and Reporting of Unanticipated Problems, Suspensions, Terminations, and Non-Compliance.](#))

Protocol Exception when IRB Approval has Lapsed

It should be noted that most protocol exceptions submitted to OPRS are related to a lapse of IRB approval. After the IRB approval for a study has lapsed, interventions are allowed to continue **only** when it is in the *best interest of the subjects*. Investigators **must submit** a request for a protocol exception to the IRB to continue research interventions or interactions for some or all subjects when it is in the best interest of the subjects to continue.

This, of course, could not be handled via an amendment because the IRB cannot approve an amendment for a protocol with lapsed IRB approval.

*“Similarities between an amendment and a protocol exception:
BOTH NEED IRB APPROVAL.”*

HOW DO I MAKE A CHANGE IN MY RESEARCH? WHAT YOU NEED TO KNOW.

CONTINUED FROM PAGE 3

To request the continuation of certain aspects of the research, the investigator must submit a UIC OPRS Protocol Exception form:

- to clearly distinguish and explain what research activities from which he or she will refrain as part of the lapse
- what research activities require continuation
- the underlying reasons for which the protocol exception is requested for each activity
- the underlying reasons for which the protocol exception is requested for each subject where an over-riding safety concern or ethical issue indicates that it is in the best interests of the individual to continue participating.

(Refer to UIC HSPP policy and procedure Protocol Exceptions).

REFERENCES: [21 CFR 812.150 \(4\)](#)



TEST YOURSELF!

PROTOCOL EXCEPTION: A CASE STUDY

A physician is the principal investigator of an IRB approved clinical trial designed to test the effectiveness of an investigational new drug for the treatment of headaches. The IRB has approved the enrollment of adults (18-65 years of age) only. Preliminary results suggest the drug is well-tolerated and seems to diminish the severity of the headaches. During clinic, a 17 year-old male presents with a headache. The physician believes the teen would likely benefit from participation in the research and also believes there is no significant physiological differences between 17 and 18 year olds. As a result, the physician, acting as the principal investigator, enrolls the 17 year-old subject into the research study after carefully documenting her decision in the medical record. If the 17 year old tolerates the treatment well, she will consider permanently changing the eligibility criteria to include 16-17 year-olds.

Question: Did the Physician/Principal Investigator handle this Protocol Exception correctly?

Answer: No. Unlike clinical practice, where the physician has the ability to make an informed decision to treat a patient outside the approved labeling, the research context does not allow the physician the same discretion. The PI must submit any protocol exception prior to initiating the change to the IRB for review and approval. Failure to submit all protocol exceptions represents non-compliance with federal regulations, UIC policies and determinations of the IRB. Also, prior to expanding the eligibility criteria for the study, prospective IRB approval is required.



CONTINUING EDUCATION OPPORTUNITIES FOR INVESTIGATORS

OPRS requires that investigators and key research personnel take initial training before conducting research. Training also needs to be updated every two years with two Continuing Education credits.

There are several updates and also new opportunities for HSPP education credits that can be found in the Learning Management System. The Learning Management System (LMS) is a UIC web-based tool intended for educating investigators and research staff on research ethics, policy and procedure. You can access this system at <http://www.uictraining.org>. The courses are offered through a variety of presentation mediums and are followed by a brief quiz.

HSPP 114: Obtaining Optimal Informed Consent Available Feb. 15th!

The objectives of this course are to:

- provide a historical review of the need for informed consent
- gain an understanding of the ethical principles of informed consent
- review of the Federal Regulations
- examine the relationship between the consent process and the consent document
- discuss common problems with the informed consent process and documents
- provide tips for enhancing autonomous decision-making

Lessons include:

- Children in Research
- The FDA
- Investigator Responsibilities
- Waivers and alterations

ONLY NEED ONE MORE CREDIT TO FULFILL THE 2 CREDITS EVERY 2 YEARS?

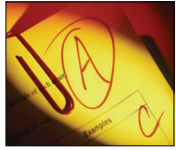
LMS has two Human Subject Protection courses that are .5 credits. Take both of these convenient courses to equal one full credit.

HSPP 111: FAQs Regarding UIC's Human Subjects Research Policies and Procedures

This training module provides an overview on a variety of subjects including determining engagement, equitable subject selection, vulnerable populations and international research, among others.

HSPP 112: Lapses in IRB Approval

This course covers the procedure and consequences to the investigator when they have let approval from the IRB lapse on their research protocol.



CONTINUING EDUCATION OPPORTUNITIES FOR INVESTIGATORS

OHRP RESEARCH COMMUNITY FORUM 2010



UIC is pleased to be co-sponsoring the OHRP Research Community Forum with the Rush University Medical Center. Conference information is as follows:

May 21, 2010
Renaissance Chicago

For information on the program and to register, please visit the conference website at www.research.uic.edu/seminar/OHRP.

Office for the Protection of
Research Subjects (OPRS)

Room 203 AOB, MC 672
1737 West Polk Street
Chicago, Illinois 60612

Phone: 312-996-1711
Fax: 312-413-2929

[http://tigger.uic.edu/depts/
ovcr/research/
protocolreview/index.shtml](http://tigger.uic.edu/depts/ovcr/research/protocolreview/index.shtml)



NEWS FOR INVESTIGATORS

REVIEW OF RESEARCH BY THE WESTERN INSTITUTIONAL REVIEW BOARD (WIRB)

The University of Illinois at Chicago (UIC) has contracted with [Western IRB \(WIRB\)](#), an established and AAHRPP Accredited independent IRB, for the review of industry-sponsored and industry-initiated research studies. As of February 1, 2010, UIC investigators will have the option of submitting industry-sponsored clinical trials, with some exceptions, to the WIRB for review and approval instead of the UIC IRBs. Please see the [WIRB page](#) on the OPRS site to see if your research qualifies.