



Stratton VA Medical Center IRB Standard Operating Procedure: Expedited Review

POLICY

It is Stratton VA Medical Center's policy to comply with all applicable federal, state, and local guidelines in the conduct of clinical research studies. Written procedures are required to guide the IRB in the expedited review of research.

REFERENCES

45 CFR 46

38 CFR 16

VHA Handbook 1200.5 Requirements for the Protection of Human Subjects in Research

PROCEDURE

The procedures for performing an expedited review that involves human subjects is performed by the Institutional Review Board (IRB) chairperson, vice chairperson or by one experienced reviewer designated by the chairperson or vice chairperson from among members of the IRB in accordance with the requirements set forth in 38 CFR 16.110 and 45 CFR 46.110. An experienced reviewer is a voting member of the IRB that has at least 6 months experience as a member on the board.

Expedited review applies to reviews for the IRB only. Currently, VA policy does not allow for an expedited review process for the Research and Development Committee. Expedited review does not apply to FDA-regulated test articles with either an IND or IDE.

If the change involves biosafety or ionizing radiation, the appropriate committee must be consulted prior to approving the change; the consultation with these committees must be documented in the IRB file. Ionizing radiation is particles or rays with sufficient energy to cause the ejection of orbital electrons from absorber atoms.

VA Policy does not permit a research project to begin until the R&D Committee's review and approval is obtained. Therefore, expedited IRB review may not necessarily mean faster approval for starting or continuing research.

The expedited review procedures may be used for one of the following:

- If the research involves no more than minimal risk, the IRB may use an expedited review procedure for some or all of the research listed in the section (below) under the heading: “Categories of Research that may be Reviewed by the Institutional Review Board (IRB) through an Expedited Review Procedure”.

NOTE: If a project was initially approved by the convened IRB (full board review), it may not be expedited for continuing review unless it meets the criteria in category 8 for Research Categories below (*VHA Handbook 1200.5 Requirements For The Protection Of Human Subjects In Research, Procedures for Expedited Review*).

- The IRB may also use the expedited review procedure to review Minor Changes in previously approved research during the period for which approval is authorized.

The IRB defines “minor” modifications as: Procedures that involves more than minimal risk or fall into categories (1)-(7) of research that can be reviewed using the expedited procedure.

Minimal risk means that the probability and magnitude of harm or discomfort anticipated in the research are not greater in and of themselves than those ordinarily encountered in daily life or during the performance of routine physical or psychological examinations or tests (38 CFR 16.102(i) and 45 CFR 46.102(i)). Consideration of risk must include physical, psychological, social, as well as economic risks.

Expedited Review does not mean abbreviated review. All the document submission requirements and all the IRB review requirements for full board review must be met with Expedited Review with the added verification of qualification for Expedited Review.

“Categories of Research that may be Reviewed by the Institutional Review Board (IRB) through an Expedited Review Procedure” {63FR60364 and OPRR Reports 1/6/99}

Applicability

- (A) *Research activities that (1) present no more than minimal risk to human subjects, and (2) involve only procedures listed in one or more of the following categories, may be reviewed by the IRB through the expedited review procedure authorized by 38 CFR 16.110, 45 CFR 46.110 and 21CFR 56.110. The activities listed should not be deemed to be of*

minimal risk simply because they are included on this list. Inclusion on this list merely means that the activity is eligible for review through the expedited review procedure when the specific circumstances of the proposed research involve no more than minimal risk to human subjects.

- (B) The categories on this list apply regardless of the age of the subjects, except as noted.*
- (C) The expedited review procedure may not be used where identification of the subjects and /or their responses would reasonably place them at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, insurability, reputation, or be stigmatizing, unless reasonable and appropriate protections will be implemented so that risks related to invasion of privacy and breach of confidentiality are no greater than minimal.*
- (D) The expedited review procedure may not be used for classified research involving human subjects.*
- (E) IRBs are reminded that the standard requirements for informed consent (or its waiver, alteration, or exception) apply regardless of the type of review—expedited or convened—utilized by the IRB.*
- (F) Categories one (1) through seven (7) pertain to both initial and continuing IRB review.*

Research Categories

(1) Clinical studies of drugs and medical devices only when condition (a) or (b) is met.

- (a) Research on drugs for which an investigational new drug application (21 CFR Part 312) is not required. (Note: Research on marketed drugs that significantly increases the risks or decreases the acceptability of the risks associated with the use of the product is not eligible for expedited review.)*
- (b) Research on medical devices for which (i) an investigational device exemption application (21CFR Part 812) is not required; or (ii) the medical device is cleared or approved for marketing and the medical device is being used in accordance with its cleared/approved labeling.*

(2) Collection of blood samples by finger stick, heel stick, ear stick, or venipuncture as follows:

- (a) from healthy, nonpregnant adults who weigh at least 110 pounds. For these subjects, the amounts drawn may not exceed 50 ml in an 8 week*

period and collection may not occur more frequently than 2 times per week; or

(b) from other adults and children, considering the age, weight, and health of the subjects, the collection procedure, the amount of blood to be collected, and the frequency with which it will be collected. For these subjects, the amount drawn may not exceed the lesser of 50 ml or 3 ml per kg in an 8 week period and collection may not occur more frequently than 2 times per week.

(3) Prospective collection of biological specimens for research purposes by noninvasive means. Examples (a) hair and nail clippings in a non disfiguring manner; (b) deciduous teeth at time of exfoliation or if routine patient care indicates a need for extraction; (c) permanent teeth if routine patient care indicates a need for extraction; (d) excreta and external secretions (including sweat); (e) uncannulated saliva collected either in an unstimulated fashion or stimulated by chewing gum base or wax or by applying a dilute citric solution to the tongue; (f) placenta removed at delivery; (g) amniotic fluid obtained at the time of rupture of the membrane prior to or during labor; (h) supra-and subgingival dental plaque and calculus, provided the collection procedure is not more invasive than routine prophylactic scaling of the teeth and the process is accomplished in accordance with accepted prophylactic techniques; (i) mucosal and skin cells collected by buccal scraping or swab, skin swab, or mouth washings; (j) sputum collected after saline mist nebulization.

(4) Collection of data through noninvasive procedures (not involving general anesthesia or sedation) routinely employed in clinical practice, excluding procedures involving x-rays or microwaves. Where medical devices are employed, they must be cleared/approved for marketing. (Studies intended to evaluate the safety and effectiveness of the medical device are not generally eligible for expedited review, including studies of cleared medical devices for new indications.)

Examples: (a) physical sensors that are applied either to the surface of the body or at a distance and do not involve input of significant amounts of energy into the subject or an invasion of the subject's privacy; (b) weighing or testing sensory acuity; (c) magnetic resonance imaging; (d) electrocardiography, electroencephalography, thermography, detection of naturally occurring radioactivity, electroretinography, ultrasound, diagnostic infrared imaging, Doppler blood flow, and echocardiography; (e.g. - moderate exercise, muscular strength testing, body composition assessment, and flexibility testing where appropriate given the age, weight, and health of the individual.

*(5) Research involving materials (data, documents, records, or specimens) that have been collected, or will be collected solely for nonresearch purposes (such as medical treatment or diagnosis). (**NOTE:** Some research in this category may be exempt from the federal regulations for the protection of human subjects in accordance with 38 CFR 16.101(b)(4) and 45 CFR 46.101 (b)(4). This listing*

*refers only to research that is not exempt. **All initial requests for exemption receive approval or disapproval from the IRB and the R&D Committee at the Stratton VA).***

(6) Collection of data from voice, video, digital, or image recordings made for research purposes.

*(7) Research on individual or group characteristics or behavior (including, but not limited to, research on perception, cognition, motivation, identity, language, communication, cultural beliefs or practices, or social behavior) or research employing survey, interview, oral history, focus group, program evaluation, human factors evaluation, or quality assurance methodologies. (NOTE: Some research in this category may be exempt from the federal regulations for the protection of human subjects in accordance with 38 CFR 16.101(b)(2), (b)(3) and 45 CFR 46.101 (b)(2), (b)(3). This listing refers only to research that is not exempt. **All initial requests for exemption receive approval or disapproval from the IRB and the R&D Committee at the Stratton VA)***

(8) Continuing review of research previously approved by the convened IRB as follows:

*(a) where: (i) the research is permanently closed to the enrollment of new subjects; (ii) all subjects have completed all research-related interventions; and (iii) the research remains active only for long-term follow-up of subjects; **or***

(b) where no subjects have been enrolled and no additional risks have been identified;

or

(c) where the remaining research activities are limited to data analysis.

(9) Continuing review of research, not conducted under an investigational new drug application or investigational device exemption where categories 2 through 8 do not apply but the IRB has determined and documented at a convened meeting that the research involves no greater than minimal risk and no additional risks have been identified.

Investigator Procedures

NEW PROTOCOL

The Principal Investigator cites the specific information from the federal regulations in the Application to Undertake Research Involving Human Subjects or provides the R&D Office with a cover memorandum explaining the request for expedited review and the reasons why the proposed research project meets the standard for expedited review, including specific quotations from the law (as

noted under Applicability Section). All items specified in the procedure for initial review must be submitted along with the # of copies specified on the R&D website.

MINOR CHANGES

The Principal Investigator must complete the Stratton VA “Protocol Amendments and Other Changes in Approved Research Form” and include the reasons why the amendment meets the standard for expedited review, including specific quotations from the law (as noted under the Applicability Section). This is available on the R&D website. Also, the # of copies required is available on the website.

If the amendment alters the informed consent, the PI will submit the revised consent form in addition to the previously approved, date-stamped form with changes highlighted.

A minor change is defined as one that does not substantially alter any of the following:

- level of risk or the risk/benefit ratio
- research design or method
- number of subjects
- qualifications of the research team
- any other factor that would warrant review by the convened IRB.

Examples of Minor Changes include:

- *the inclusion of research activities listed in Exempt Review or categories of research that may be reviewed through an Expedited Review Procedure*
- *a decrease in proposed human research subject enrollment supported by a statistical justification*
- *narrowing the range of inclusion criteria*
- *broadening the range of exclusion criteria*
- *alteration in the dosage form (e.g. tablet to capsule or oral liquid) of an administered drug, provided the dose and route of administration remain constant.*
- *decreasing the number or volume of biological sample collections, provided that such a change does not affect the collection of information related to safety evaluations.*
- *an increase in the length of confinement or number of study visits for the purpose of increased safety monitoring.*
- *a decrease in the length of confinement or number of study visits provided that such a change does not affect the collection of information related to safety evaluations.*

- *alteration in human research subject payment or liberalization of the payment schedule with proper justification.*
- *changes to improve the clarity of statement or to correct typographical errors, provided that such a change does not alter the content or intent of the statement.*
- *change in PI (for individuals who are already qualified to serve as PI's)*
- *addition to the protocol of qualified co-investigators and research staff*
- *addition of persons to obtain consent*
- *Deletion of research personnel*
- *Administrative changes to investigator brochures and protocols*
- *minor changes specifically requested by the IRB (Administrative reviews)*

NOTE: The definition of minor does not allow the addition of procedures that do not fall into one the seven categories of research that could have been initially reviewed using the expedited procedure.

R&D Administrative Procedures

Upon receipt of a request for expedited review, Research Service staff will check to ensure the packet is complete. The IRB chairperson or vice chairperson will be notified that a request for expedited review has been received. The chairperson or vice chairperson will complete the review or designate the IRB member who will complete the review. For each expedited request, the appropriate Reviewer Worksheet (initial, continuing, or amendment) is attached and distributed to reviewers. If approved, the expedited review is reported at a convened meeting of the IRB and documented in the meeting minutes, inclusive of the basis for allowing expedited approval. When minor changes that are specifically requested by the IRB (Administrative reviews) are approved, this approval is documented in the minutes of the first IRB meeting that takes place after the date of the approval. These projects appear in the minutes on the list for "Closed Items - Stipulations Met and Final Approval Letter Issued".

Once approved, the Research Service staff will generate a letter of approval which includes the category of expedited review. This letter is forwarded to the Principal Investigator along with the date-stamped informed consent document (if applicable).

If the protocol fails to meet expedited approval, the Principal Investigator is notified and a new submission must be made to the full board.

IRB Procedures

The chairperson, vice chairperson or designee evaluates all the documents submitted with the expedited request to determine whether an expedited review is warranted.

For each expedited request, the appropriate Reviewer Worksheet (initial, continuing, or amendment) will be completed by the reviewer. The outcome of the review can be either "Expedited Approved", "Modifications Required" to secure IRB approval with subsequent review by either administrative review or "Full Board review is required". A verbal summary of the action is presented to the full board and documented in the IRB meeting minutes.

In reviewing the research, the reviewers may exercise all of the authorities of the IRB except that the reviewers may not disapprove the research. A research activity may be disapproved only after review in accordance with the non-expedited procedures.