OHRP

"Doing it right...together"

Top Ten Investigator Responsibilities When Conducting Human Subjects Research

Thanks to Ada Sue Selwitz, Univ. of Kentucky and PRIM&R (Public Responsibility in Medicine & Research)

Investigator Responsibility #1

Design And Implement Ethical Research, Consistent With Three Ethical Principles Delineated In The Belmont Report

The Belmont Report

Three Basic Ethical Principles:

- Respect for Persons
  - Individual autonomy
  - Protection of individuals with reduced autonomy
- Beneficence
  - Maximize benefits and minimize harms
- Justice
  - Equitable distribution of research costs and benefits

Investigator Responsibility #2

Comply With All Applicable Federal Regulations Impacting The Protection Of Human Subjects

Federal Regulations and Policy

- 45 CFR 46 - Basic DHHS Policy for Protection of Human Research Subjects
  Originally adopted May, 1974, Revised January 13, 1981, Revised June 18, 1991
  - Additional protections for vulnerable populations in Subparts B-D
- Federal Policy for the Protection of Human Subjects - "The Common Rule" June 18, 1991
  - Departments of Agriculture, Energy, Commerce, HUD, Justice, Defense, Education, Veterans Affairs, Transportation, and HHS. NSF, NASA, EPA, AID, Social Security Administration, CIA, and the Consumer Product Safety Commission.

Federal Regulations and Policy

Additional Protections Included in 45 CFR 46:

- **Subpart B** - Additional Protections for Pregnant Women, Human Fetuses and Neonates Involved in Research (revised December 13, 2001)
- **Subpart C** - Additional DHHS Protections Pertaining to Biomedical and Behavioral Research Involving Prisoners as Subjects
- **Subpart D** - Additional DHHS Protections for Children Involved as Subjects in Research

Food and Drug Administration

Regulations:

- **IRB - 21 CFR 56**
- **Informed Consent - 21 CFR 50**

HHS vs. FDA Regulations

- Basic requirements for IRBs and for Informed Consent are congruent

- Differences center on differences in applicability
  - HHS regulations based on federal funding of research
  - FDA regulations based on use of FDA regulated product: drugs, devices, or biologics

Investigator Responsibility #3

Ensure That All Research Involving Human Subjects Is Submitted To And Approved By The Appropriate Institutional Review Board

Definitions

- Research - a systematic investigation designed to develop or contribute to generalizable knowledge.

- Human Subject - a living individual about whom an investigator conducting research obtains
  - data through intervention or interaction with the individual, or
  - identifiable private information

IRB Review

- **Institutional Review Board (IRB):** A campus-wide committee charged with the review of human participants research to assure that the rights and welfare of human participants are adequately protected.
- **Why do we need IRB review?**
  - No one can be objective about their own work
  - People underestimate the risks involved in things they are very familiar with
  - People overestimate the benefit of things that are important to them

Investigator Responsibility #4

Comply With All Applicable IRB Policies, Procedures, Decisions, Conditions, And Requirements

IRB Decision Matrix

BENEFICENCE	JUSTICE
Risk/Benefit Analysis Experimental Design Qualifications of PI	Subject selection Inclusion/exclusion Recruitment

RESPECT FOR PERSONS

Informed consent Surrogate consent Assent	Privacy & Confidentiality Protection of subjects (especially vulnerable populations)

Investigator Responsibility #5

Implement Research As Approved And Obtain Prior IRB Approval For Changes

Investigator Responsibility #6

Obtain Informed Consent and Assent In Accord With Federal Regulations And As Approved By The IRB

Informed Consent

Beyond the Consent Form

The Consent Process

Informed consent is not a single event or just a form to be signed -- rather, it is an educational process that takes place between the investigator and the prospective subject.

The basic elements of the consent process include:

- full disclosure of the nature of the research and the subject's participation,
- adequate comprehension on the part of the potential subjects, and
- the subject's voluntary choice to participate.

Investigator Responsibility #7

Document Informed Consent and Assent In Accord With Federal Regulations And As Approved by the IRB

Documentation of Consent

Articles in most popular magazines are at the **8th grade level**. Factors that improve readability include the following:

- Technical terms should be replaced with **ordinary language;**
- Use **active tense** rather than passive tense verbs ("We did" rather than "It was done");
- Write **shorter sentences** in general; and
- Make clear the links of **logical sequences** and of cause-and-effect, even if doing so makes the sentence much longer. ("We will do this, because that happened".)

Documentation of Consent

Format can help comprehend and remember complex material. Good format uses: headings; indents; bolded type; lists; extra spacing between sub-topics; repetition; reasonable-size type; and plenty of margins and empty space in general.

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- **repetition**;
- **reasonable-size type**; and
- **plenty of margins and empty space** in general.

Investigator Responsibility #8

Report Progress Of Approved Research To The IRB, As Often And In The Manner Prescribed By The IRB

Continuing Review

An IRB shall conduct continuing review at intervals appropriate to the degree of risk, but not less than once per year…

21 CFR 56.109(e) 45 CFR 46.109(e)

Investigator Responsibility #9

Report To The IRB Any Injuries, Adverse Events, Or Other Unanticipated Problems Involving Risks To Subjects Or Others

Investigator Responsibility #10

Retain Signed Consent Documents And IRB Research Records For At Least Three Years Past Completion Of The Research Activity

OHRP Electronic Access

- **E-mail**: **ohrp@osophs.dhhs.gov**
- **Web Site**: **http://ohrp.osophs.dhhs.gov**