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What's New in GCP?
FDA, OHRP Issue Final Guidance for IRB Written Procedures

The FDA and the Department of Health and Human Services' Office for Human Research Protections (OHRP) released final guidance May 17 on institutional review board written procedures. While the final guidance has nearly the same recommendations for written procedures as the draft guidance issued in August 2016, it strives to clarify which written procedures are specifically required by the FDA and HHS regulations and which are recommended by the agencies.

"The final guidance issued today describes a consistent approach to written procedures implemented by the institutions and institutional review boards responsible for the oversight of human subject research," said FDA Commissioner Scott Gottlieb in announcing the guidance. "Our efforts to make the regulatory requirements and guidance for human subject research more consistent present an opportunity to both enhance the protection of human research subjects and reduce the regulatory burden on the research community by creating efficiencies and strengthening standards in the clinical trial enterprise."

"The FDA believes that when institutions and IRBs develop and follow clear written procedures and when the requirements for written procedures for the IRB are applied consistently and objectively across FDA and OHRP, the improved efficiency means that there is an increased likelihood that the rights and welfare of people participating in clinical trials will be protected through a more thorough and consistent adherence to key regulatory requirements," the agency said.

The guidance includes a revised Written Procedures Checklist that identifies the FDA and HHS regulatory requirements for written procedures for the IRB and provides recommendations on the type of information to include to support each of the requirements. "The checklist is designed to prompt a thorough and more efficient evaluation of written procedures that are needed to help ensure the protection of human research subjects," the FDA said.

"Institutions and IRBs have flexibility in how they choose to format their written procedures and how much detail to include," the guidance said. "For example, topics listed in the checklist may not be applicable to all institutions/IRBs. On the other hand, the institution/IRB may determine that additional topics not found in the checklist should be included," such as written procedures related to how the IRB interacts with an Institutional Biosafety Committee or a Radioactive Drug Research Committee.

The regulations "allow flexibility in both format and content of written procedures, which gives IRBs the ability to establish procedures best suited to their own operations. Written procedures may be maintained electronically or may be paper-based and formatted in a style that conforms to the needs of the institution," the guidance said.

Institutions and IRBs should use the flexibility afforded by the regulations to adopt written procedures that are suitable for their organizations.

"Institutions/IRBs may choose to create written procedures that focus solely on the regulatory responsibilities of the IRB, or they may choose to also incorporate institutional policies and procedures that are a function of the institution's Human Research Protections Program (HRPP). Detailed administrative procedures for the IRB support staff (e.g., how and where to track study approvals for calculating continuing review) may be included or may be managed through other locally written policies and procedures (e.g., work

instructions, standard operating procedures (SOPs), or a staff operations manual)," the guidance added.

Institutions and IRBs "may choose to combine items in the checklist, as needed, to avoid redundancy or use a different order than that presented in the checklist," the guidance said. "OHRP and FDA remind institutions and IRBs that the checklist is intended to facilitate an improved understanding of regulatory requirements in 45 C.F.R. §46.103(b)(4) and (5) and 21 C.F.R. §56.108(a) and (b) for written procedures for the IRB, to provide recommendations on the operational details to include in support of these regulatory requirements, and to provide some additional topics the institution/IRB may consider when developing comprehensive procedures."

Both regulations state that IRBs must follow written procedures for the following functions and operations:

- conducting initial and continuing review of research and reporting findings and actions to the investigator and the institution;
- determining which projects require review more often than annually and determining which projects need verification from sources other than the investigator that no material changes have occurred since previous IRB review;
- ensuring prompt reporting to the IRB of proposed changes in a research activity and ensuring that changes in approved research, during the period for which IRB approval has already been given, may not be initiated without IRB review and approval except where necessary to eliminate apparent immediate hazards to the human subjects;
- ensuring prompt reporting to the IRB, appropriate institutional officials, and the department or agency head for research conducted or supported by HHS, and FDA for FDA-regulated research of any unanticipated problems involving risks to human subjects or others, instances of serious or continuing noncompliance with the applicable HHS and FDA regulations or the requirements or determinations of the IRB, or suspension or termination of IRB approval.

The guidance noted, "OHRP and FDA have observed that some IRBs develop written procedures for the IRB that simply restate the regulations. In general, this approach does not provide sufficient detail about the IRB's operations to ensure that the IRB's operations meet the applicable regulatory requirements," the guidance said.

"Developing meaningful content for written procedures involves a comprehensive and critical assessment of the IRB's responsibilities, functions and operations, and the institution's organizational structure. Written procedures should be sufficiently detailed to help IRB members and institutional administrative staff understand how to carry out their duties in a consistent and effective way that ensures that the rights and welfare of subjects are protected and that the IRB operates in compliance with the regulations. When preparing written procedures, institutions/IRBs should generally identify who carries out specific duties by reference to position title (e.g., IRB chairperson) rather than by name to avoid the need to update written procedures if duties change, or there are changes in IRB membership."

The final checklist includes written procedure recommendations for IRB initial and continuing review of research, reporting IRB findings and actions, frequency of IRB review, verification regarding material changes, reporting of proposed change to the IRB, prior IRB review and approval of changes, and reporting of unanticipated problems, serious or continuing noncompliance, and any suspension or termination of IRB approval.

The agencies said the checklist "is intended to be a tool to assist in determining what information should be covered in written procedures rather than a tool for assessing compliance."

The agencies added that they recognized that written procedures may vary among institutions and IRBs because of "differences in the way organizations are structured, the type of research studies reviewed by the IRB, institutional policy or administrative practices, the number of IRBs at the institution, affiliation with an institution, and local and state laws and regulations."

Other Recent Developments in the Guide to Good Clinical Practice

Number of FDA BIMO inspections drops slightly in FY 2017

Federal Right-to-Try bill signed into law

Female representation in hearth trials mixed