MCW IRB Committee Procedures

INSTITUTIONAL REVIEW BOARD ACTIONS

Unit: Human Research Protections Program (HRPP), Office of Research

Applies to: Institutional Review Board Committees

PURPOSE:
This procedure describes the authority of the Medical College of Wisconsin (MCW) Institutional Review Board (IRB) according to Federal Regulations and institutional policy to render motions/determinations, to place restrictions on a research project or suspend or terminate approval of a research project that is not being conducted in accordance with institutional procedures or applicable law, or that has been associated with unexpected harm to subjects.

DEFINITIONS:
Approved: Approval may be granted if the research activity meets the criteria for approval as defined in 45 CFR 46.111 or 21 CFR 56.111 and no changes to the research application are recommended.

Modifications Required: A "modifications required" status is stipulated only when the requested modifications are clear and specific in nature and do not require clarification by the Investigator. Clarifications that are minor and will not change the risk to the subject regardless of the response can also be given a "modifications required" status. Modifications will be reviewed by the IRB Chair or designated IRB member. Those that are not addressed may be referred to the convened Committee, as determined by the IRB Chair or Committee. The recommended modifications must be made to the IRB submission, Sponsor's protocol, informed consent documents, and/or other required documents before final IRB approval can be granted. The date of approval is the date the conditions were determined to be met.The IRB Committee provides a letter to the Investigator stipulating the specific modifications required for approval.

1. Initial submissions receiving a "modifications required" status are administratively withdrawn if a response to the Committee recommendations has not been received by the IRB within 60 days of the date of the "modifications required" letter.
2. Continuing review submissions receiving a "modifications required" status will expire on the date of project expiration if an adequate response has not been received and approved by the IRB prior to the project expiration date.
3. Amendments receiving a "modifications required" status may not be implemented until a satisfactory response by the Investigator has been received and final approval has been granted in writing by the IRB.

Tabled: A "tabled" status is stipulated when the project does not meet the criteria for approval as defined in 45 CFR 46.111 or 21 CFR 56.111 or if the IRB Committee recommends substantial revisions to the IRB submission that are relevant to the determinations required by the IRB. A project that lacks sufficient information to conduct an adequate review at the convened Committee review level is "tabled" pending receipt of the requested information. The revised project must be reviewed by the convened IRB

and is placed on the next available agenda pending receipt of the additional information. The Investigator's responses and changes made to the project are reviewed by the Primary Reviewer and convened Committee.

1. The IRB Committee may invite the Investigator to a convened IRB Committee meeting to allow the Investigator to personally address the concerns of the Committee and to allow the Committee to ask questions and seek clarification from the Investigator.
2. Initial submissions receiving a "tabled" status are administratively withdrawn if a response to the Committee's modifications has not been received by the IRB within 60 days of the date of the tabled letter.
3. Continuing review submissions receiving a "tabled" status expire on the date of project expiration if an adequate response has not been received and approved by the IRB prior to the project expiration date.
4. Amendments receiving a "tabled" status may not be implemented until a satisfactory response by the Investigator has been received and final approval has been granted in writing by the IRB.

Expiration Date: the last date of the IRB approval period. For example, if a project is approved from 10/02/2012 to 10/01/2013, the project activities may continue until midnight on 10/01/2013 when IRB approval expires.

Deferred: A project may be "deferred" when the Committee lacks sufficient time, at a convened Committee meeting, to review a submission. The submission is placed on the next convened IRB Committee meeting agenda. A project may also be "deferred" if the primary reviewer and/or consultant or subject matter expert is unable to provide or complete their review of the submission and provide documentation of this review prior to the convened IRB Committee meeting.

Disapproved: A "disapproved" status is stipulated when the project does not meet the criteria for approval as defined in 45 CFR 46.111 or 21 CFR 56.111, and if the IRB Committee recognizes the project puts subjects at substantial risk, or presents an significantly unfavorable risk-benefit ratio and cannot recommend substantial revisions to the IRB submission, Sponsor's Protocol, informed consent document(s), and/or other pertinent documents outside of not conducting the project as presented.

Suspension: A "suspended" status is a temporary halt in IRB approval of some or all research activities until identified concerns can be resolved. Suspension may be initiated whenever:

1. it is determined that research is not being conducted in accordance with IRB requirements and approval based on outcome from an inquiry or investigation, or
2. when significant new risks are identified and need to be evaluated, or
3. unexpected serious harm to subjects has occurred.

Termination: A "terminated" status is a permanent halt in IRB approval for all research activities. Termination is initiated when it is determined, through investigation, that research is not being conducted in accordance with IRB requirements in which the reported risks significantly outweigh the benefits or unexpected serious harm to subjects has occurred. The IRB may terminate a project without **"Suspending"** project activities previously.

PROCEDURE:

Approved

If approval is granted, the IRB Coordinator II (C2) will draft the approval letter and send it to the Chair for review. After the Chair has sent the approval letter, the Investigator may begin research activities.

Modifications Required

1. The IRB C2 will draft the "modifications required" letter and send it to the IRB Chair for review. The IRB Chair will review the letter and either request changes to the letter or send it to the Investigator. The Investigator responds to the Committee recommendations outlining the modifications incorporated and the rationale for any modifications not incorporated. Modifications not addressed or incorporated may be referred to convened Committee for review. The Investigator includes in the response a copy of any revised documents in their entirety. The changes to the documents are tracked.
2. The IRB C2 will review the modifications and correspondence from the Investigator and:
   a. request changes, or
   b. prepare and send a revised letter to the IRB Chair for review or
   c. if the modifications have been determined by the IRB C2 to be adequate, forward the submission to the IRB Chair or designated IRB Member for review.
3. Research activities may not start until all conditions have been met and the IRB Chairperson or his/her designee has signed a final approval letter.

Tabled

1. The IRB C2 will draft the "tabled" decision letter and send it to the IRB Chair for review. The IRB Chair will review the letter and either request modifications to the letter or send it to the Investigator. The Investigator responds to the Committee recommendations outlining the modifications incorporated and the rationale for any modifications not incorporated. The Investigator includes in the response a copy of any revised documents in their entirety. The changes to the documents are tracked.
2. The IRB C2 will review the modifications and correspondence from the Investigator and:
   a. request changes,
   b. prepare and send a revised letter to the IRB Chair for review or
   c. if the modifications have been determined by the IRB C2 to be adequate, schedule the submission for the next available convened Committee meeting and assign a reviewer(s).
3. The IRB Committee member(s) designated as the reviewer(s) will review the submission, complete the appropriate documentation, and render a decision.
4. Research activities may not begin until all conditions have been met, the submission has been review by the convened Committee, and the IRB Chairperson or his/her Designee has signed a final approval letter.

Disapproved

1. The IRB C2 will draft the "disapproved" decision letter and send it to the IRB Chair for review. The IRB Chair will review the letter and either request modifications to the letter or send it to the Investigator. The Investigator may not begin a research project which has been "disapproved" by the convened Committee.
2. The Investigator has the right to "appeal" and responds to the Committee decision. The written appeal should outline any changes incorporated and the rationale for any changes not incorporated. The Investigator includes in the response a copy of any revised documents in their entirety. The changes to the documents are tracked.
3. "Disapproved" projects must go back to the convened Committee for review if an appeal is received.
4. Amendments which receive a "disapproved" status cannot be implemented unless an appeal by the Investigator have been received; changes made and final approval has been granted in writing by the IRB.

Suspension

1. A single project or multiple projects for a single Investigator may be suspended. This action will ordinarily be initiated by an IRB Chair or IRB Committee, but may also be initiated by the HRPP Director or the Senior Associate Dean for Research.
2. When project approval is suspended, the following will be considered:
    a. What actions, if any, may be needed to protect the rights and welfare of currently enrolled subjects
    b. Whether procedures for withdrawal of enrolled subjects take into account their rights and welfare (e.g. making arrangements for medical care outside of a research project, transfer to another researcher, and continuation in the research project under independent monitoring)
    c. Whether current subjects need to be informed of the suspension
    d. Any adverse events, UPIRSOs, or outcomes that have been reported to the IRB
3. Suspensions not initiated by the IRB Committee must be reported to and reviewed by the convened IRB.
4. **"Suspension"** of a project means the following activities will cease immediately:
    a. Enrollment of new subjects
    b. Screening and recruiting of new subjects
    c. Presenting or publishing any data or results
5. The following activities may continue only at the direction of the IRB:
    a. Submission of amendments
    b. Follow-up on enrolled subjects (evaluate continuation of all enrolled subjects on a case by case basis)
    c. Treatment of enrolled subjects

    The following activities may continue:
    a. Submission Continuing Progress Reports
    b. Submission of Reportable Events that require prompt reporting
6. If the IRB Chair or IRB Committee **"suspends"** approval of a project due to the Investigator's failure to comply with the requirements of the approved protocol or institutional policies and procedures, the HRPP Director shall notify the Institutional Officials, who shall provide written notice to the Dean, the FWA-Affiliated Institution where the project is being conducted, OHRP and/or the FDA and/or the head of the supporting Federal Agency.

Termination

1. Termination will ordinarily be initiated by an IRB Chair or an IRB Committee, but may also be initiated by the HRPP Director or the Senior Associate Dean for Research. A single project or multiple projects for a single Investigator may be terminated to eliminate immediate risks to the subjects, or the institution.
2. When project approval is terminated, the following will be considered:
    a. What actions, if any, may be needed to protect the rights and welfare of currently enrolled subjects
    b. Whether procedures for withdrawal of enrolled subjects take into account their rights and welfare (e.g. making arrangements for medical care outside of a research project, transfer to another researcher, and continuation in the research project under independent monitoring)
    c. Whether current subjects need to be informed of the termination
    d. Any adverse events, UPIRSOs, or outcomes that have been reported to the IRB
3. Terminations not initiated by the IRB Committee must be reported to and reviewed by the convened IRB.
4. **"Termination of Approval"** of a project means the following activities will cease immediately:
    a. Enrolling new subjects into the project(s)
    b. Screening and recruiting of new subjects
    c. Presenting or publishing any data or results

d. Submission of Amendments
e. Submission of Continuing Progress Reports

The following activities of the project may continue at the direction of the IRB:

a. Follow-up on enrolled subjects (evaluate continuation of all enrolled subjects on a case by case basis)
b. Treatment regimen for currently enrolled subjects to end participation on project safely
c. Development of a plan to notify subjects of termination of the project to describe how the Investigator will safely withdraw subjects from the project, and to transfer into clinical care or transfer to another investigator in the local area

The following activities may continue:

a. Submission of Reportable Events that require prompt reporting.

5. If an IRB Committee **"terminates"** approval of a project due to the Investigator's failure to comply with the requirements of the approved protocol or institutional policies and procedures, or due to identification of immediate harm or risk to subjects, the HRPP Director shall notify the Institutional Officials, who shall provide written notice to the Dean, the FWA-Affiliated Institution where the project is being conducted, OHRP and/or the FDA and/or the head of the supporting Federal Agency.
6. The Investigator must submit a final report for the project to the IRB within 90 days from the date of the IRB **"termination"** of approval.

Expedited Review of Submissions

The same procedures as described will apply to projects that meet criteria for Expedited review. The actions will either be performed by a single designated expedited reviewer. If the designated expedited reviewer determines the submission should be disapproved, they must forward it to the convened Committee for review.

Appeal Process

1. Investigators have the right to appeal an IRB desion.
2. The appeal be written and addressed to the IRB Chair.
3. The appeal must contain the following information:
    - Reason for the appeal
    - Length of the appeal
    - Scope of the appeal including the activities, length of time, and limitations
4. The appeal will be evaluated by the IRB Chair and the HRPP Director and/or the Institutional Officials as deemed necessary by the IRB Office.
5. The IRB Chair will provide the Investigator with a response to the appeal to the appeal that includes;
    - The decision
    - The rational
    - Action required

REFERENCES:

45 CFR 46.111
21 CFR 56.111

SUPPORTING DOCUMENTS:
N/A

Effective Date:	06/15/2018
Version number:	6.0
Previous Version/date:	5.0, 05/01/2015
Responsible Office:	HRPP Office
Approval Date:	06/07/2018

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