

**The Medical College of Wisconsin, Inc. (MCW)**

**SITE LOCAL CONTEXT RESPONSE AND INFORMATION**

MCW has a fully developed human subjects protection program with systematic education, training, tools, systems, procedures, and guidance in place for its investigators, all of whom are expected to follow all state and local laws, regulations and ordinances, institutional guidelines and policies (Local Law) relevant to the particular research.

When providing information and context to the Reviewing IRB, MCW wishes it to be known that the Reviewing IRB can rely on the fact that all investigators conducting research at MCW will follow Local Law.

In terms of general local context for: Metro Milwaukee, Wisconsin:

 **Age of Majority in Wisconsin**

Chap. 990, §990.01(3), (20)

Age of Majority  
**18** (§990.01(3))

Emancipation  
By marriage unless incompetent (880.04(1))

**State Law regarding who may be a Legally Authorized Representative**

a. Court appointed guardian with power to make decisions on behalf of a patient who is incompetent to do so  
b. Person the patient has assigned a "health care power of attorney," for a patient incapable of  
communicating his/her wishes (but not for most mental health clinical studies)  
c. If there is no guardian or "health care power of attorney," consent for a decisionally impaired person may be solicited from a next of kin, but in the following order of preference:  
1. Spouse  
2. Adult child  
3. Parent  
4. Adult sibling  
5. Grandparent  
6. Adult Grandchild

**State Law Limits Duration of Consent where research focus involves treatment of mental illness, developmental disability alcoholism or drug dependency**

If the focus of the research includes the treatment of mental illness, developmental disability, alcoholism, or drug dependence, informed consent is only valid for a 15-month period. To include subjects in a study that lasts longer than 15 months, subjects must be re-consented according to IRB requirements no more than every 15 months.  
  
**State Law for Research Involving Radiation**

For use of radiation beam devices and radioactive material in human subject research, we rely on the MCW Radiation Safety Committee and Officer to know and interpret Wisconsin State law (DHS 157) when reviewing protocols with radiation beam devices and radioactive material.

**When in doubt or there is possible conflict of laws:**

If there is any doubt on the legal position involving research the Office of General Counsel is consulted.

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