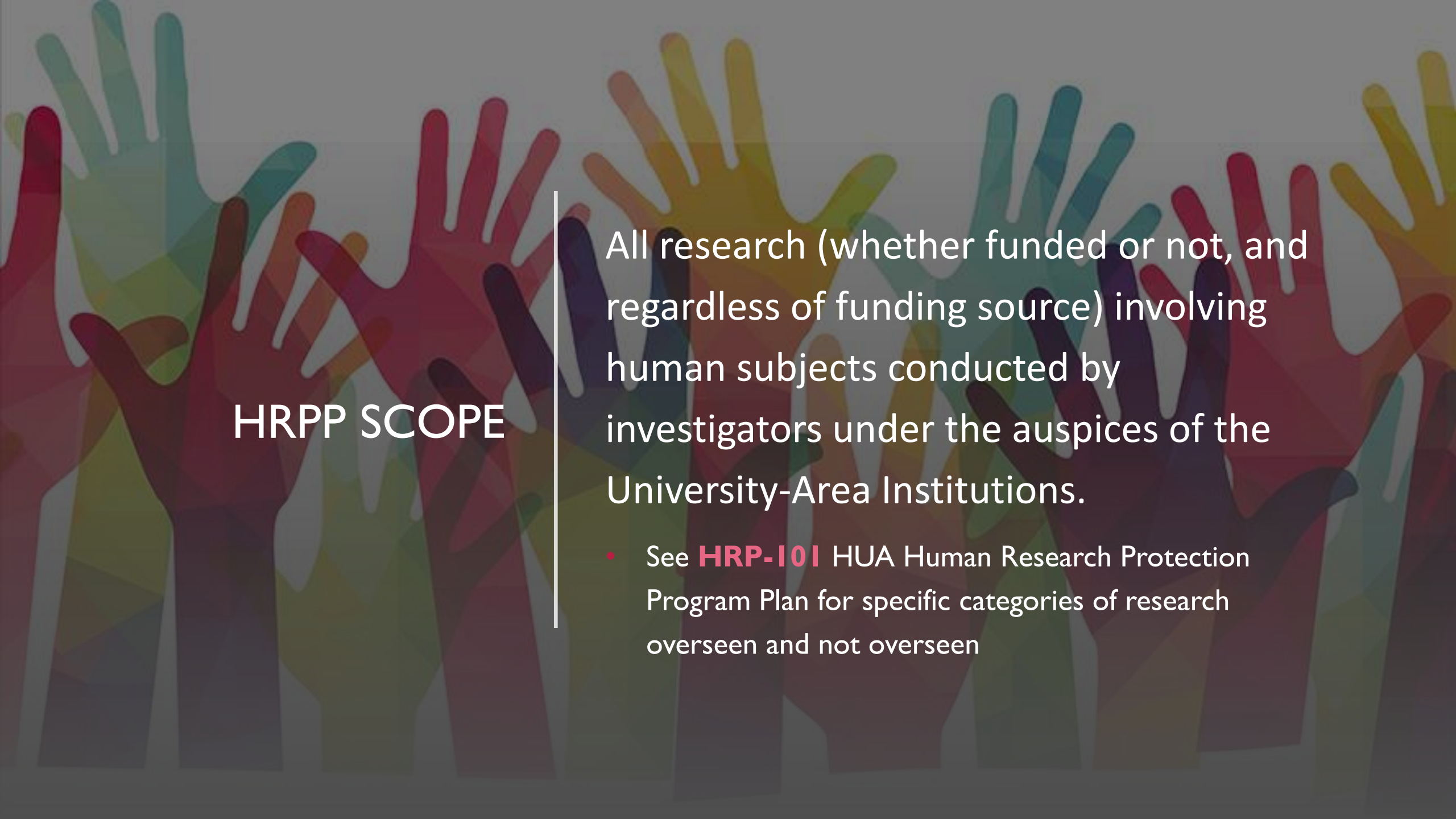
HUA HUMAN RESEARCH PROTECTION PROGRAM

HRPP MISSION

The mission of this Institution's Human Research protection program plan is to protect the rights and welfare of subjects involved in Human Research that is overseen by this Institution.



HRPP SCOPE

All research (whether funded or not, and regardless of funding source) involving human subjects conducted by investigators under the auspices of the University-Area Institutions.

- See **HRP-101** HUA Human Research Protection Program Plan for specific categories of research overseen and not overseen

ETHICAL REQUIREMENTS

- Outlined in 1979 “Ethical Principles and Guidelines for the Protection of Human Subjects of Research,” also known as “**The Belmont Report**”
- Institutional baseline for all researchers, IRBs, and associated staff

THE BELMONT REPORT

- Respect for Persons
  - 1) Individuals should be treated as autonomous agents,
  - 2) Persons with diminished autonomy are entitled to protection.

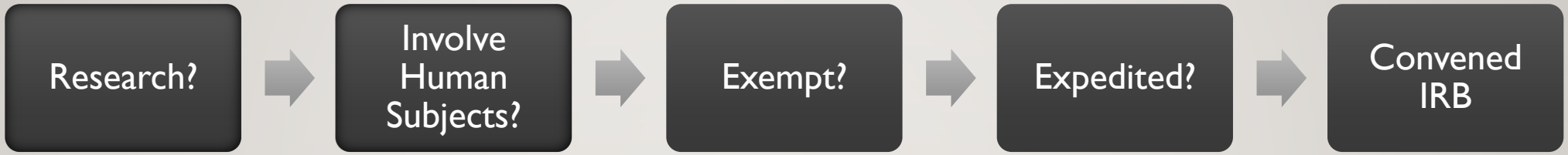
- Beneficence
  - 1) Protecting the individual subjects against **risk** of harm
  - 2) Consideration of not only the **benefits** for the *individual*, but also the *societal* benefits that might be gained for research

- Justice
  - Who ought to receive the benefits of research and bear its burdens? This is a question of justice, in the sense of "fairness in distribution" or "what is deserved."

LEGAL REQUIREMENTS

- Ensure all Human Research undergoes review by designated IRB
- Apply Common Rule (45 CFR 46)
- Apply additional regulations of relevant federal funding agency
  - See **HRP-318** WORKSHEET Additional Federal Agency Criteria
  - See **HRP-103** Investigator Manual
- Apply FDA regulations when applicable

THE COMMON RULE



DOES MY PROJECT REQUIRE IRB REVIEW?

WHAT REQUIRES IRB REVIEW? / WHAT IS RESEARCH?

SYSTEMATIC INVESTIGATION

GENERALIZABLE KNOWLEDGE

WHAT REQUIRES IRB REVIEW?

A systematic investigation involves:

- Methodical procedure and plan
- Theoretically grounded
- Well-defined research question
- Informed by empirical findings

WHAT REQUIRES IRB REVIEW?

- Results applicable to population beyond data collection site or specific subjects studied

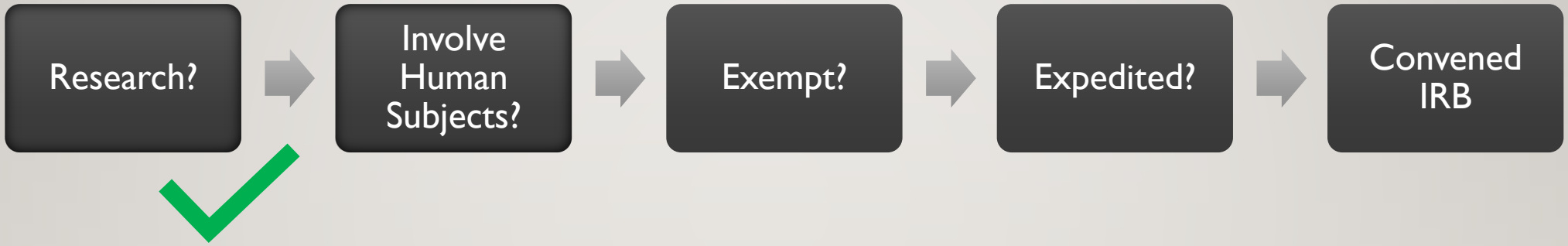
and/or

- Results intended to be used to develop, test, or support theories, principles, and statements of relationships, or to inform policy beyond the study

NOT (REGULATED) RESEARCH

Additionally

- Case studies
- Journalism/documentary activities
- Oral history
- Standard public health surveillance or prevention activities
- Criminal justice investigations
- National intelligence/security missions
- Secondary use of non-identifiable newborn screening blood spots



DOES MY PROJECT REQUIRE IRB REVIEW?

HUMAN SUBJECTS RESEARCH

Human Subject

A living individual about whom an investigator:

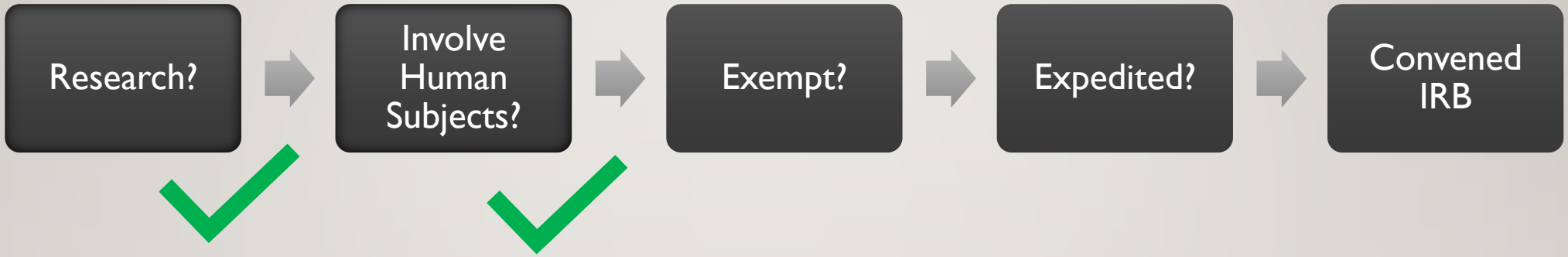
Uses information from intervention or interaction with the individual

OR

Uses private, identifiable information

NOT HUMAN SUBJECTS RESEARCH

- Secondary analysis of publicly available data sets
- Secondary analysis of de-identified data sets stripped of all identifiable information



LEVELS OF REVIEW

WHO REVIEWS WHAT

CONVENED IRB/FULL BOARD

Review approx. 5% of studies

- *Greater than Minimal Risk*
- *Unknown Risk*
- *Does not fit into Expedited or Exempt regulatory category*

STAFF MEMBERS (WHO ARE ALTERNATE IRB MEMBERS)

Review approx. 95% of studies

- *Expedited Approvals*
- *Exempt Determinations*
- *Not Engaged Determinations*
- *Not Human Subjects Research Determinations*
- *Not Research Determinations*

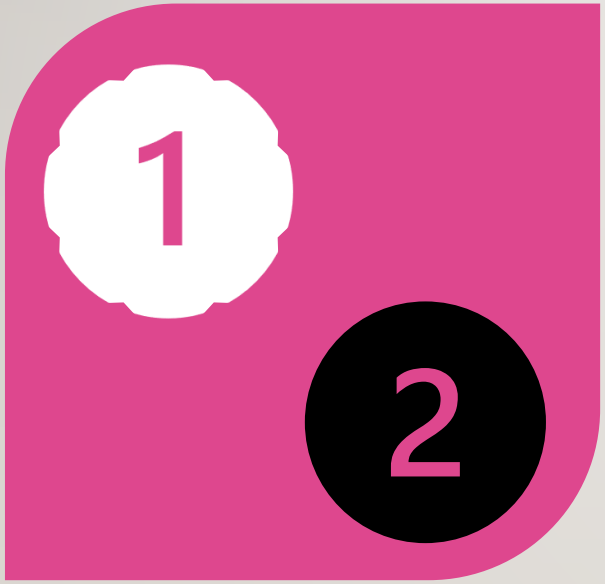
WHAT'S THE DIFFERENCE?

Not Human Subjects Research Determination	Research does not fit the regulatory definition for research with human subjects. The determination can be made by the investigator or through review by IRB staff. See **HRP-310** WORKSHEET Human Research Determination
Exempt Determination	The project is human subjects research and fits one of the 8 Exempt categories in the regulations. The determination of Exemption is made by the IRB staff. See **HRP-312** WORKSHEET Exemption
Expedited Approval	The project is human subjects research that is minimal risk and fits one of the 9 Expedited categories in the regulations. For most categories, the determination is made by IRB staff on behalf of the HUA IRB, acting in their capacity as Alternate IRB members. See **HRP-313** WORKSHEET Expedited Review
Convened IRB/Full Board Review	Research that may be more than minimal risk, does not fit in one of the regulatory categories, or for any reason the IRB staff believe it must be reviewed by the Convened IRB.

For more information, explore the stages of **IRB Lifecycle** at cuhs.harvard.edu

CONVENED IRB AND CRITERIA FOR APPROVAL

BEFORE THE MEETING



ASSESS

READ

ASK

IRB MEMBER HANDBOOK TIP

1. **Read the consent document first:** The consent document should be in **lay language** and therefore should provide a good introduction to the research.

    - Can you clearly describe the study after reading the Consent Form?
    - Then read it again for readability (6th—8th grade level)

2. **Read the protocol:** Although the language may differ, the narrative and the consent form should be **consistent** in the description of the purpose, procedures, timeframe, risks and benefits, compensation and costs, confidentiality of data, etc.

FULL BOARD REVIEW ACTIONS

- Approved
- Modifications Required to Secure Approval
- Deferred
- Tabled
- Disapproved

FULL BOARD REVIEW ACTIONS

Modifications Required to Secure Approval

Meets Criteria for Approval

(HRP-314 WORKSHEET)

Deferral

May meet Criteria for Approval

(HRP-314 WORKSHEET)

Disapproval

Does not meet Criteria for Approval

(HRP-314 WORKSHEET)

Violation of Belmont Report

For more information see HRP-103 HUA Investigator Manual and "Before You Begin to Prepare Your IRB Application" in the IRB Lifecycle at cuhs.harvard.edu

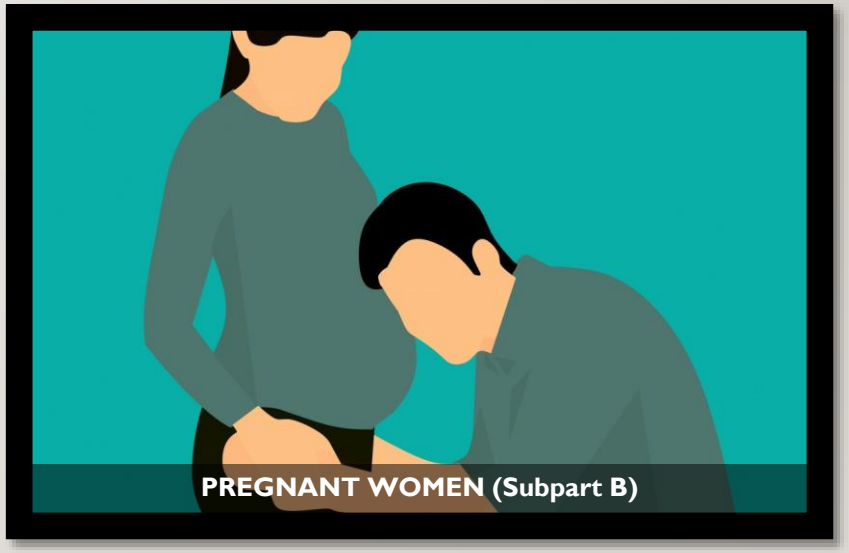
CRITERIA FOR APPROVAL

- Risks to subjects are minimized
- Risks are reasonable in relation to benefits
- Selection of subjects is equitable
- Adequate provisions for monitoring data, ensuring its confidentiality and the safety of subjects
- Adequate provisions for privacy
- Safeguards for any vulnerable populations

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.

RISK DOES NOT ONLY MEAN PHYSICAL RISK

PROTECTED POPULATIONS

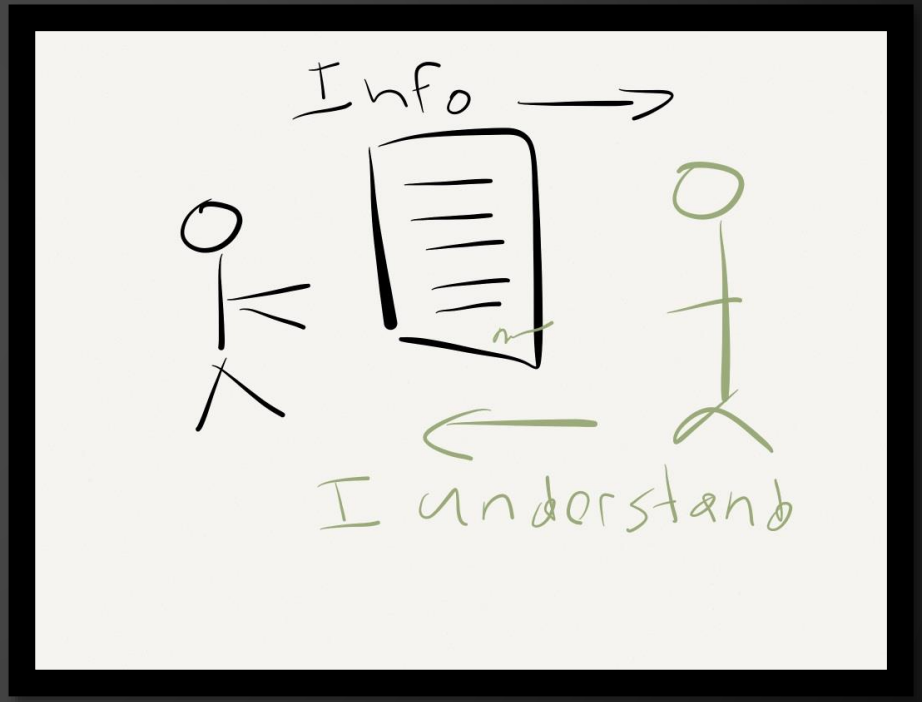


POTENTIALLY VULNERABLE POPULATIONS

- In addition to protected populations:
  - Economically disadvantaged
  - Cognitively impaired
  - Low literacy
  - LGBTQ+
  - Racial/ethnic minorities
  - Students/employees of investigator
  - Undocumented status, refugees

CRITERIA FOR APPROVAL

- Informed consent is obtained
  - Information
  - Comprehension
  - Voluntary agreement
- Informed consent is documented



INFORMED CONSENT: ELEMENTS OF CONSENT

- The study involves research
- Purpose and procedures, including duration
- Risks/ discomforts and benefits
- Confidentiality provisions
- Participation is voluntary
- No penalty or loss of benefits if do not participate or withdraw
- Future use of participant data
- Contact information

See **HRP-314** WORKSHEET Criteria for Approval for additional DHHS elements as well as FDA and clinical trial requirements

INFORMED CONSENT

- Informed consent requirements may be altered or waived
- Most commonly for…
  - *Deception*: active misinformation
  - *Incomplete disclosure*: withholding specific details
- May omit purpose and/or procedures or waive fully
  - IF required of the research design (practicability)
  - IF rights and welfare are otherwise protected
  - IF no more than minimal risk

FULL BOARD REVIEW ACTIONS

Modifications Required to Secure Approval

Identify prescriptive actions

No risk or regulatory considerations remain outstanding

Deferral

Ask open-ended questions

Seek info on risk, regulatory considerations

Provide suggestions

Disapproval

Explain violation of Belmont Report

Provide suggestions…to a point

Opportunity for appeal

For more information see **HRP-103** HUA Investigator Manual and "Before You Begin to Prepare Your IRB Application" in the **IRB Lifecycle** at cuhs.harvard.edu

ADDITIONAL CONSIDERATIONS

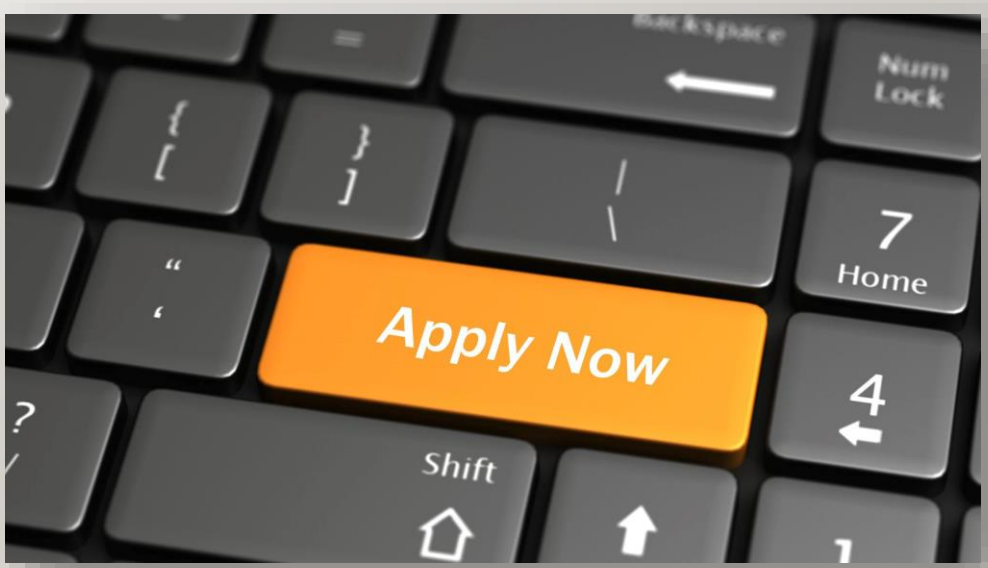
INTERNATIONAL RESEARCH

- Additional institutional review
- Additional ethical reviews/ permissions may be needed
- Local context

HRP-027
CERTIFICATE OF CONFIDENTIALITY

AUTOMATICALLY ISSUED

REQUESTED



AUTOMATICALLY ISSUED

- **NIH CoC Policy** applies to research:
  - Funded or supported by NIH,
  - Using identifiable, sensitive information, and
  - Active after December 13, 2016
- CoC automatically granted in **terms** of award
- PI and IRB confirm that Policy applies
- Protocol and **consent** must reflect awarded CoC
  - Includes ongoing studies commenced before Policy

REQUESTED

- Non-NIH funded studies
- **PI requested**:
  - Needs to notify IRB of status of request
  - Protocol/consent need to reflect CoC
- **IRB requested**:
  - IRB determines CoC needed to protect privacy and confidentiality
  - Protocol/consent need to reflect CoC

ADDITIONAL CONSIDERATIONS

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)

- Establishes national standards for protection of health information (**PHI**)
- Applies to covered entities (e.g., providers with electronic records)
- Harvard University Health Services and Harvard School of Dental Medicine are covered entities

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

- Research with **identifiable student education records**
- Access requires written parent permission (for minors) or from the adult student unless exceptions met
- No defined role for IRB; advises as needed

For more information see **HRP-103** HUA Investigator Manual, **HRP-330** WORKSHEET HIPAA Authorization, and **HRP-331** WORKSHEET FERPA Compliance

ADDITIONAL CONSIDERATIONS

HARVARD RESEARCH DATA SECURITY POLICY (HRDSP)

The IRB's responsibility is to **assign a level of sensitivity** (Non-Sensitive or Sensitive) based data collected/used in the research and described in the IRB application

FDA REGULATIONS

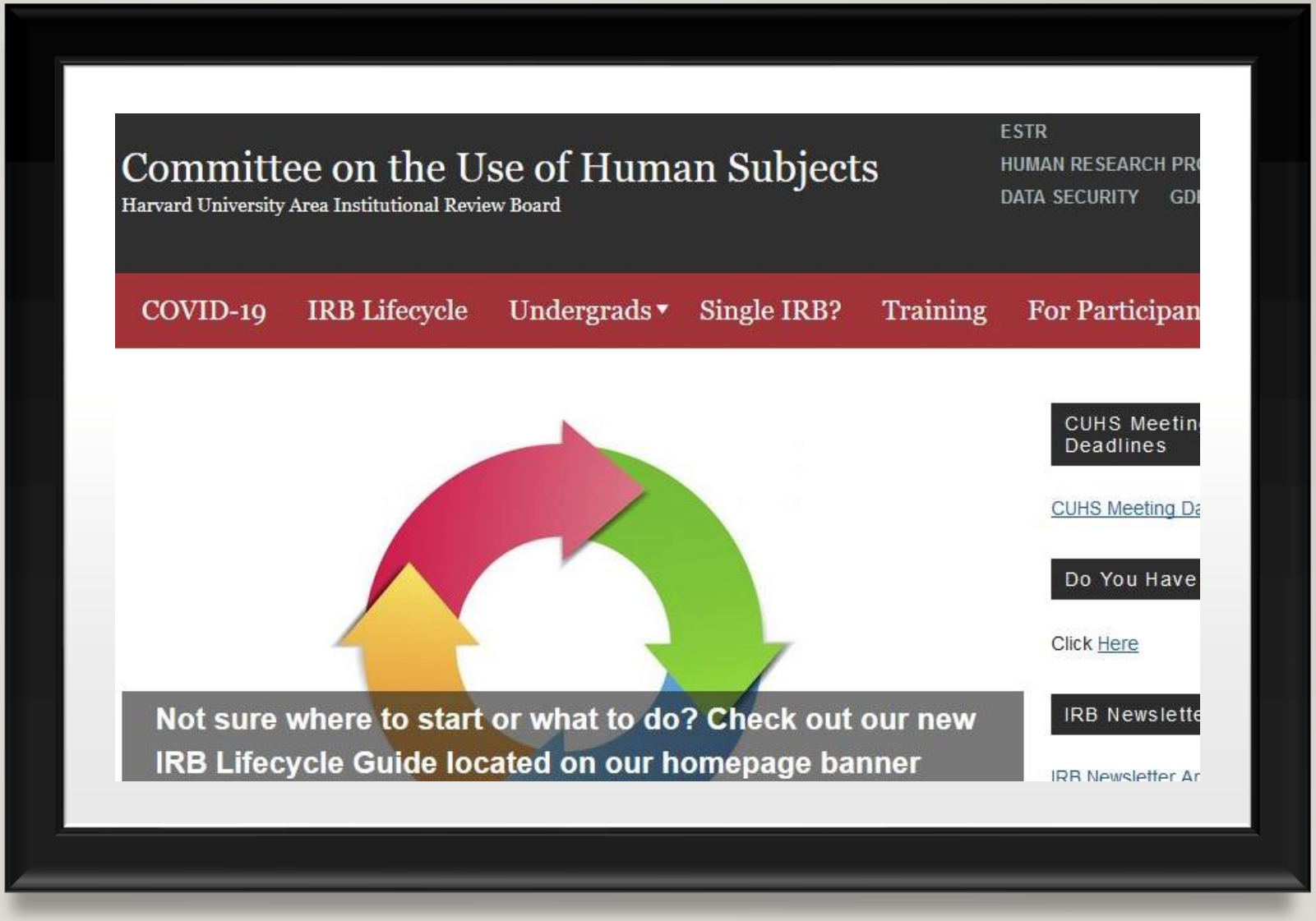
DEVICES and **DRUGS**

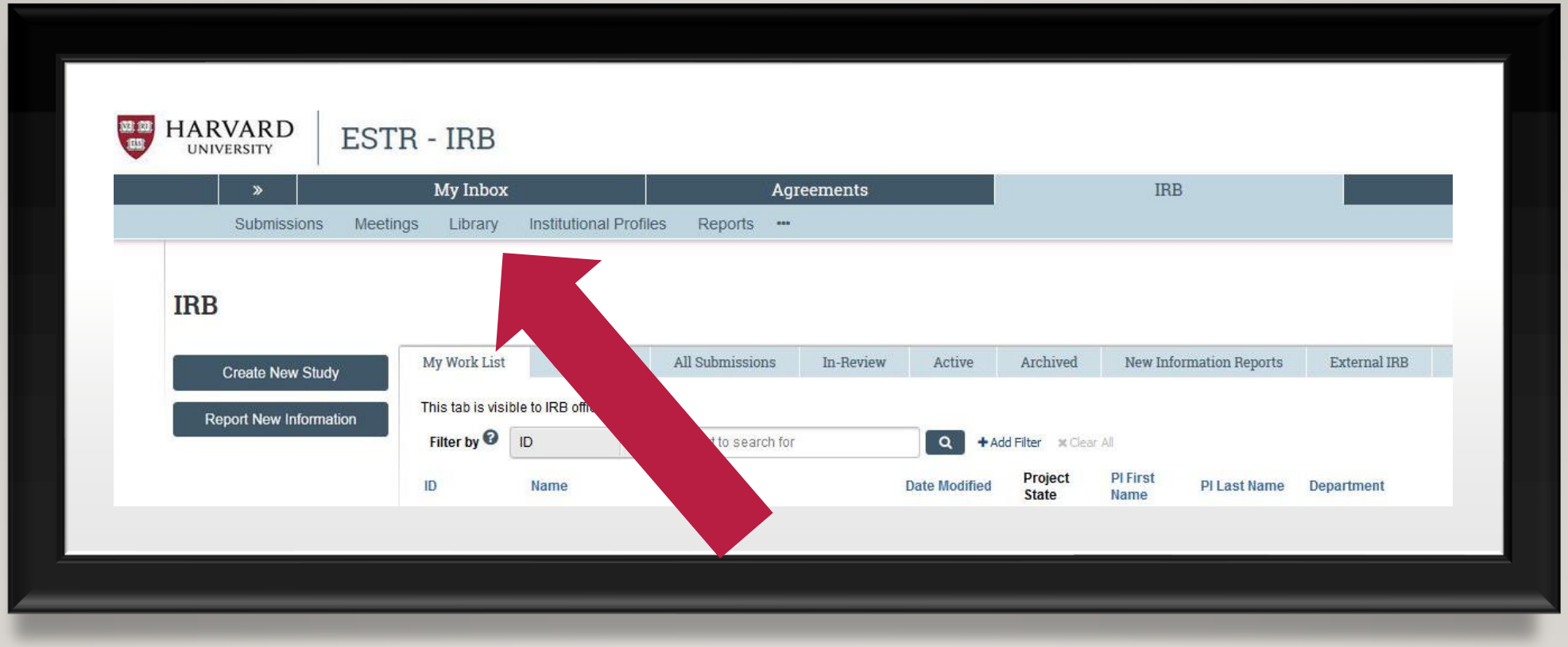
Clinical investigation means any experiment that involves a **test article** and one or more **human subjects**, and that either must meet the requirements for prior submission to the FDA or the results of which are intended to be later submitted to, or held for inspection by, the FDA as part of an application for a research or marketing permit.

For more information see **HRP-309** WORKSHEET HUA Harvard Policies, **HRP-335** WORKSHEET Provost Review, and **HRP-336** WORKSHEET Harvard Research Data Security Level Decision Aid

RESOURCES

CUHS WEBSITE (CUHS.HARVARD.EDU)





ESTR WEBSITE (IRB.HARVARD.EDU)

ESSENTIAL READING

HUMAN RESEARCH PROTECTION PROGRAM PLAN

- HRP-101 (ESTR Library → General)
- The purpose of this plan is to describe this Institution's plan to comply with ethical and legal requirements for the conduct and oversight of Human Research.
- The Human Research Protection Program is based on all individuals in this Institution along with key individuals and committees fulfilling their roles and responsibilities described in this plan.

INVESTIGATOR MANUAL

- HRP-103 (ESTR Library → General)
- The Investigator Manual is designed to guide investigators and study staff through policies and procedures related to the conduct of Human Research that are specific to the Harvard University Area (HUA) IRB office.
- General information regarding Human Research protections, as well as relevant federal regulations and guidance, has been incorporated throughout the manual where applicable.

BONUS: REPORTING AND MANAGEMENT OF CONCERNS

REPORTING AND MANAGEMENT OF CONCERNS

- Questions, concerns, complaints, allegations of undue influence, allegations or findings of **non-compliance**, or input regarding the HRPP may be reported orally or in writing
- The IRB has the responsibility to investigate allegations and findings of non-compliance and take corrective actions
- The IO/OO has the responsibility to investigate all other reports and take corrective actions
- **UPIRTSO**: Unanticipated Problem Involving Risks to Subjects or Others
- Report within **5 days**

REPORTING AND MANAGEMENT OF CONCERNS

- **Contact the IRB** office with questions (cuhs@harvard.edu)
- Submit Report of New Information (**RNI**) in ESTR
- Contact the IO/OO

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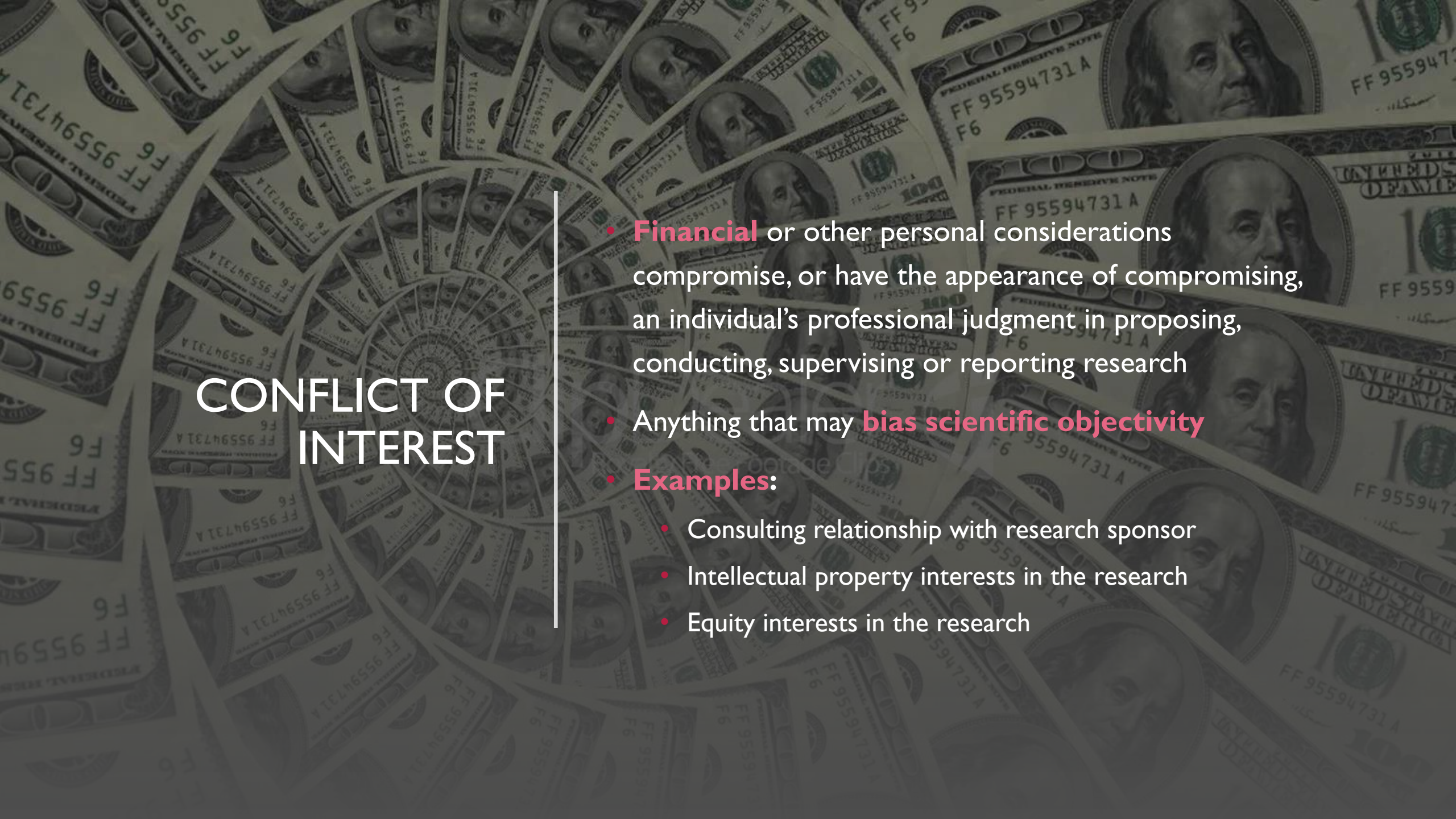
REPORTING AND MANAGEMENT OF CONCERNS

For more on reporting see:

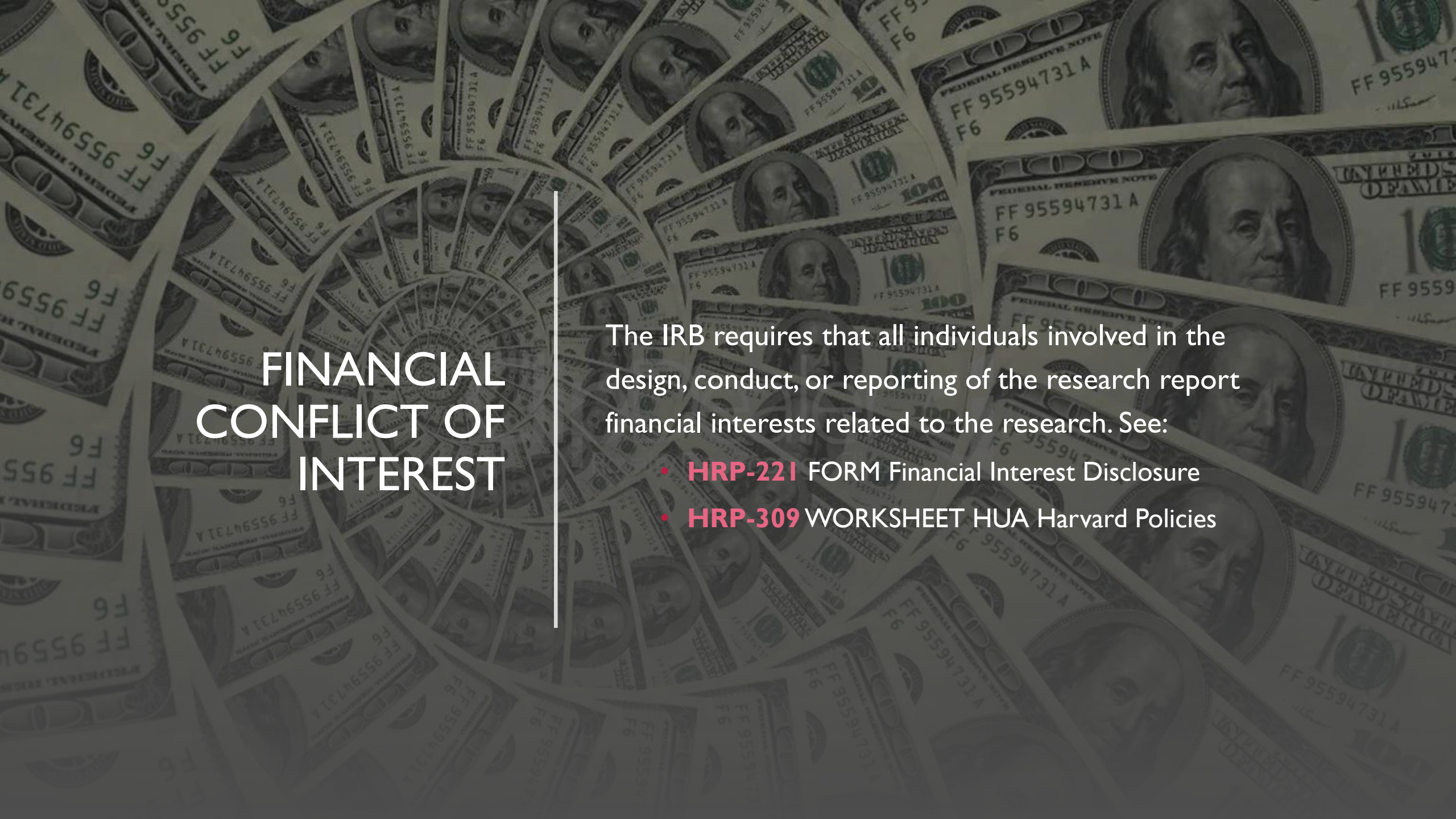
- **HRP-101** HUA Human Research Protection Program Plan
- **HRP-103** HUA Investigator Manual
- **HRP-321** WORKSHEET Review of Information Items
- "Researcher Responsibilities After Review" in the **IRB Lifecycle** at cuhs.harvard.edu

BONUS:
CONFLICT OF INTEREST



CONFLICT OF INTEREST

- **Financial** or other personal considerations compromise, or have the appearance of compromising, an individual's professional judgment in proposing, conducting, supervising or reporting research
- Anything that may **bias scientific objectivity**
- **Examples:**
  - Consulting relationship with research sponsor
  - Intellectual property interests in the research
  - Equity interests in the research



FINANCIAL CONFLICT OF INTEREST

The IRB requires that all individuals involved in the design, conduct, or reporting of the research report financial interests related to the research. See:

- **HRP-221** FORM Financial Interest Disclosure
- **HRP-309** WORKSHEET HUA Harvard Policies

Each School's policy is outlined in a School Implementation Plan

Individuals have institutional responsibility and are subject to this procedure when they have fCOI

Harvard fCOI

Violations can lead to:

- Loss or restriction of privileges to conduct Human Research
- Other employment actions

Related records to be retained for at least 3 years from completion of Human Research

IRB PROCEDURES