

Knowledge of Local Context

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The Absence of “Local Context” in the Regulatory Text

“The IRB shall be sufficiently qualified through the experience and expertise of its members, and the diversity of the members, including consideration of race, gender, and cultural backgrounds and sensitivity to such issues as community attitudes, to promote respect for its advice and counsel in safeguarding the rights and welfare of human subjects....” (.107(a))

The Absence of “Local Context” in the Regulatory Text (2)

“In addition to possessing the professional competence necessary to review specific research activities, the IRB shall be able to ascertain the acceptability of proposed research in terms of institutional commitments and regulations, applicable law, and standards of professional conduct and practice. The IRB shall therefore include persons knowledgeable in these areas....”(107(a))

The Absence of “Local Context” in the Regulatory Text (3)

“If an IRB regularly reviews research that involves a vulnerable category of subjects, such as children, prisoners, pregnant women, or handicapped or mentally disabled persons, consideration shall be given to the inclusion of one or more individuals who are knowledgeable about and experienced in working with these subjects.”(.107(a))

The Absence of “Local Context” in the Regulatory Text (4)

“Each IRB shall include at least one member who is not otherwise affiliated with the institution and who is not part of the immediate family of a person who is affiliated with the institution.”(.107(d))

The Absence of “Local Context” in the Regulatory Text (5)

“An IRB may, in its discretion, invite individuals with competence in special areas to assist in the review of issues which require expertise beyond or in addition to that available on the IRB.” (.107(f))

The Context of Local Context (1)

- OPRR Memorandum: IRB Knowledge of Local Research Context (July 21, 2000)
- Conferences on Alternative IRB Models (2005, 2006)
- Advanced notice of proposed rulemaking; request for comments [on direct accountability of external IRBs] (March 5, 2009)

The Context of Local Context (2)

- Advance Notice of Proposed Rulemaking (ANPRM), Human Subjects Research Protections: Enhancing Protections for Research Subjects and Reducing Burden, Delay, and Ambiguity for Investigators: III. Streamlining IRB Review of Multi-Site Studies. (July 26, 2011).

ANPRM III: Streamlining IRB Review of Multi-Site Studies (1)

“Relevant local contextual issues (e.g. investigator competence, site suitability) pertinent to most clinical studies can be addressed through mechanisms other than local IRB review....”

ANPRM III: Streamlining IRB Review of Multi-Site Studies (2)

“...For research where local perspectives might be distinctly important (e.g., in relation to certain kinds of vulnerable populations targeted for recruitment) local IRB reviews could be limited to such consideration(s), but again, IRB review is not the only mechanism for addressing such issues. ...”

ANPRM III: Streamlining IRB Review of Multi-Site Studies (3)

“...The evaluation of a study’s social value, scientific validity, and risks and benefits, and the adequacy of the informed consent document and process generally do not require the unique perspective of a local IRB...”

ANPRM III: Streamlining IRB Review of Multi-Site Studies (4)

“Public comment is requested on the feasibility, advantages and disadvantages of mandating that all domestic sites in a multi-site study rely upon a single IRB as their IRB of record for that study.”

ANPRM Question #31

How does local IRB review of research add to the protection of human subjects in multi-site research studies? How would mandating one IRB of record impair consideration of valuable local knowledge that enhances protection of human subjects? Should the public be concerned that a centralized IRB may not have adequate knowledge of an institution's specific perspective or the needs of their population, or that a centralized IRB may not share an institution's view or interpretations on certain ethical issues?

ANPRM Public Comments

- Generally in favor of the use of a single IRB for multi-site studies.
- Discussion of mandating vs. encouraging use of a single IRB.
- Generally in favor of guidance identifying the respective responsibilities of the single IRB and the research institutions.

Public Comments on Important Knowledge of Local Context (1)

- Local subject population/community attitudes
- Institutional qualifications, resources, procedures, policies, compliance, and post-approval activities
- State/local laws and regulations
- Investigator(s) qualifications, qualities, relations with the IRB, and conflict(s) of interest
- Institution's ethical perspective

Public Comments on Important Knowledge of Local Context (2)

- Recruitment/consent process/form/language
- Local circumstances
- Community input (e.g., emergency research, community-based participatory research, tribal sovereignty)
- Local standard of care
- Domestic/Foreign approaches

OHRP Compliance and Local Context

- For several applications, the IRB failed to receive sufficient information to make determinations required by .111 regarding the local context for research conducted in international settings. (2001)
- The IRB lacked the background and expertise required by .107 because of its failure to consider the cultural conditions of the subject population in China. (2002)
- OHRP expressed concern that the IRB relies on the investigator to provide knowledge of local research context in international settings. (2003)

OHRP Education and Local Context

- “Knowledge of local context” often comes up by coincidence. For example,
 - Questions about cooperative review arrangements sometimes lead to knowledge of local context issues (e.g. which IRB is responsible for reviewing recruitment/informed consent of the population at one of several research sites.)
 - Questions about informed consent may lead to knowledge of local context issues (e.g., reviewing the consent process where subjects are suspicious of signing anything.)

OHRP Education and Local Context

Questions come in about who is responsible for acquiring the requisite knowledge of local context for the IRB.

Knowledge of Local Context

Multi-Site Research Scenarios

- A multi-site clinical trial in the United States comparing two different medical treatments for cancer patients.
- Biospecimen collection and surveys of individuals of a specific ethnic group in immigrant communities in the U.S.
- A randomized field trial of the effects of an innovative sex education curriculum in middle schools in four adjacent school districts.
- A multi-site randomized clinical trial of a medical intervention where the subjects involved in the research are being treated at medical facilities in developing countries.

The Content of Local Context



State and Local Laws and Regulations Regarding:

1. medical research;
2. age of majority;
3. age of consent to treatment, if appropriate;
4. provisions regarding legally authorized representatives or guardians; and,
5. privacy or confidentiality.

Subject Populations, including:

6. local attitude(s) toward medical research or research in general;
7. race/ethnicities and primary language(s);
8. literacy levels; and,
9. community religious or ethical standards related to research.

Investigators' qualifications, including:

10. investigator(s) knowledge and experience with the research procedures and study population;
11. investigator(s) record of criminal or research infractions;
12. investigator(s) financial interest in the research or subject recruitment;
13. investigator(s) research workload; and,
14. investigator(s) training in research ethics.

Institutional Research Sites

- 15.the quality of the institutional facilities affecting the conduct of the research;
- 16.recruitment and informed consent procedures, policies, and staff qualifications;
- 17.institutional authorities whose approval is needed; and,
- 18.the procedures and equipment used for preserving the confidentiality of research data.

Mechanisms for Assessing Local Context

Central IRB members



Investigators



Local IRB members



Consultants



Community Representatives

Source/Mechanism Issues

- How should knowledge of the local research context be delivered through the standard application process?
- How should knowledge of the local research context be delivered through other means from other sources (e.g. IRB staff, consultants)?
- When is verification of submitted information from various sources regarding local context required or recommended?

What about other local knowledge?

E.g. Local impact of a derecho on research?

