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**Human Research Protection Program Plan**

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## Scope

Throughout this document “Institution” refers to Parkview Health System, Inc.

## Purpose

This Institution is committed to protecting the rights and welfare of subjects in Human Research. 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.

This Institution’s Human Research Protection Program is a comprehensive system to ensure the protection of the rights and welfare of subjects in 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.

## Definitions

### Agent

For purposes of this document, an institution’s employees or agents refers to individuals who: (1) act on behalf of the institution; (2) exercise institutional authority or responsibility; or (3) perform institutionally designated activities. “Employees and agents” can include staff, students, contractors, and volunteers, among others, regardless of whether the individual is receiving compensation.

### Clinical Trial

A research study in which one or more human subjects are prospectively assigned to one or more interventions (which may include placebo or other control) to evaluate the effects of the interventions on biomedical or behavioral health-related outcomes.

### Engaged in Human Research

In general, this Institution is considered engaged in Human Research when this Institution’s employees or agents for the purposes of the Human Research obtain: (1) data about the subjects of the research through intervention or interaction with them; (2) identifiable private information about the subjects of the research; or (3) the informed consent of human subjects for the research. This Institution follows OHRP guidance on “Engagement of Institutions in Research”[[1]](#footnote-1) to apply this definition and exceptions to this definition.

### Human Research:

Any activity that either:

* Is “Research” as defined by DHHS and involves “Human Subjects” as defined by DHHS (“DHHS Human Research”); or
* Is “Research” as defined by FDA and involves “Human Subjects” as defined by FDA (“FDA Human Research”).

### Human Subject as Defined by DHHS

A living individual about whom an investigator (whether professional or student) conducting research obtains (1) obtains information or biospecimens through Intervention or Interaction with the individual, and uses studies, or analyzes the information or biospecimens, or (2) obtains, uses, studies, analyzes, or generates identifiable private information or identifiable biospecimens. For the purpose of this definition:

* **Intervention** means both physical procedures by which information or biospecimens are gathered (for example, venipuncture) and manipulations of the subject or the subject’s environment that are performed for research purposes.
* **Interaction** means communication or interpersonal contact between investigator and subject.
* **Private Information** means information about behavior that occurs in a context in which an individual can reasonably expect that no observation or recording is taking place, and information which has been provided for specific purposes by an individual and that the individual can reasonably expect will not be made public (for example, a medical record).
* **Identifiable Private Information** means private information for which the identity of the subject is or may readily be ascertained by the investigator or associated with the information.
* **Identifiable Biospecimen** means a biospecimen for which the identity of the subject is or may readily be ascertained by the investigator or associated with the biospecimen.

### Human Subject as Defined by FDA

An individual who is or becomes a subject in research, either as a recipient of the test article or as a control. A subject may be either a healthy human or a patient. A human subject includes an individual on whose specimen (identified or unidentified) a medical device is used.

### Investigator

The person responsible for the conduct of the Human Research at one or more sites. If the Human Research is conducted by a team of individuals at a trial site, the investigator is the responsible leader of the team and may be called the principal investigator.

### Institutional Review Board (IRB)

Committee authorized to review, approve, require modifications, or disapprove all human Subject Research at the Institution in accordance with all federal, state, and local regulatory requirements as well as Institutional policies and procedures.

### Multisite Study

A Multisite study uses the same protocol to conduct non-exempt human subjects research at more than one site.

### Research as Defined by DHHS

A systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge.[[2]](#footnote-2)

### Research as Defined by FDA

Any experiment that involves a test article and one or more human subjects, and that meets any one of the following:

* Must meet the requirements for prior submission to the Food and Drug Administration under section 505(i) of the Federal Food, Drug, and Cosmetic Act meaning any use of a drug other than the use of an approved drug in the course of medical practice;
* Must meet the requirements for prior submission to the Food and Drug Administration under section 520(g) of the Federal Food, Drug, and Cosmetic Act meaning any activity that evaluates the safety or effectiveness of a device; OR
* Any activity the results of which are intended to be later submitted to, or held for inspection by, the Food and Drug Administration as part of an application for a research or marketing permit.

## 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.

### Ethical Requirements

In the oversight of all Human Research, this Institution (including its investigators, research staff, students involved with the conduct of Human Research, the Institution’s institutional review boards (IRBs), IRB members and chairs, IRB staff, the Institutional Official, and employees) follows the ethical principles outlined in the April 18, 1979 report of The National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research titled “Ethical Principles and Guidelines for the Protection of Human Subjects of Research,” also known as “The Belmont Report”:

* Respect for Persons
* Beneficence
* Justice

### Legal Requirements

This Institution commits to apply its ethical standards to all Human Research regardless of funding.

All Human Research must undergo review by one of the institutionally designated IRBs. Activities that do not meet the definition of Human Research do not require review and approval by one of the Institution’s IRBs and do not need to be submitted to one of the Institution’s IRBs unless there is a question regarding whether the activity is Human Research. Any questions about whether an activity meets the regulatory definitions of Human Research should be referred to the IRB Office who will provide a determination.

When this Institution is engaged in DHHS Human Research that is conducted, funded, or otherwise subject to regulations by a federal department or agency who is a signatory of the Common Rule, the Institution commits to apply the regulations of that agency relevant to the protection of Human Subjects.

When this Institution is engaged in FDA Human Research, this Institution commits to apply the FDA regulations relevant to the protection of Human Subjects.

### Other Requirements

When reviewing research that involves community based research, the IRB obtains consultation or training.

All policies and procedures are applied identically to all research, including:

* Confirming the qualifications of investigators for conducting the research
* Conducting initial review, continuing review as required, and review of modifications to previously approved research
* Post-approval monitoring
* Handling of complaints, non-compliance, and unanticipated problems involving risks to subjects or others
* Consent process and other language issues
* Ensuring all necessary approvals are met
* Coordination and communication with local IRBs

For clinical trials, this Institution commits to apply the “International Conference on Harmonisation – Good Clinical Practice E6” (ICH-GCP) when required by clinical sponsors.

This Institution prohibits payments to professionals in exchange for referrals of potential subjects (“finder’s fees”) and payments designed to accelerate recruitment that were tied to the rate or timing of enrollment (“bonus payments.”)

### Sponsored Human Research

For both sponsored and non-sponsored Human Research this Institution abides by its ethical principles, regulatory requirements and its policies and procedures.

### Scope of Human Research Protection Program

The categories of Human Research overseen include:

* Federally funded research
* FDA-regulated research.
* Research involving drugs that require an IND.
* Research involving devices that require an abbreviated IDE.
* Research involving devices that require an IDE issued by FDA.
* Investigator held abbreviated IDE.
* Investigator held IND or IDE.
* Research involving children as subjects.
* Research involving a waiver of consent for planned emergency research.
* Emergency use of a test article in a life threatening situation.
* Activities involving humanitarian use devices.
* Research using the short form of consent documentation.

The categories of Human Research not overseen include:

* Research involving fetuses.
* Research involving *in vitro* fertilization.
* Research involving pregnant women as subjects.
* Research involving non-viable neonates.
* Research involving neonates of uncertain viability.
* Research that plans to or is likely to involve prisoners as subjects.
* Research involving children, pregnant women, fetuses, or neonates that is not otherwise approvable without approvable of an agency secretary or director.
* International research
* Research conducted or funded by the Veteran Administration (VA)
* Research conducted or funded by the Department of Defense (DOD)
* Research conducted or funded by the Department of Justice (DOJ)
* Research conducted or funded by the Department of Education (ED)
* Research conducted or funded by the Department of Energy (DOE)
* Research conducted, funded, or subject to oversight by the Environmental Protection Agency (EPA)

### Human Research Protection Program Policies and Procedures

Policies and procedures for the Human Research Protection Program are available on the following Web site: irb.parkview.com.

## Human Research Protection Program Components

### Institutional Official

The Institutional Official has the authority to take the following actions or delegate these authorities to a designee:

* Create the Human Research Protection Program budget.
* Allocate resources within the Human Research Protection Program budget.
* Appoint and remove IRB members and IRB chairs.
* Hire and fire research review staff.
* Determine what IRBs the Institution will rely upon.
* Approve and rescind authorization agreements for IRBs.
* Place limitations or conditions on an investigator’s or research staff’s privilege to conduct Human Research.
* Create policies and procedures related to the Human Research Protection Program that are binding on the Institution.
* Suspend or terminate research approved by the Institution’s IRB.
* Disapprove research approved by the Institution’s IRB.

The Institutional Official has the responsibility to:

* Oversee the review and conduct of Human Research under the jurisdiction of the Human Research Protection Program.
* Periodically review this plan to assess whether it is providing the desired results and recommend amendments as needed.
* Establish policies and procedures designed to increase the likelihood that Human Research will be conducted in accordance with ethical and legal requirement.
* Institute regular, effective, educational and training programs for all individuals involved with the Human Research Protection Program.
* Ensure that the research review process is independent and free of coercion or undue influence, and ensure that officials of the Institution cannot approve research that has not been approved by the Institution’s IRB.
* Ensure that the IRB Chair(s) and members have direct access to the IO for appeal if they experience undue influence or if they have concerns about the function of the IRB.
* Implement a process to receive and act on complaints and allegations regarding the Human Research Protection Program.
* Follow-up on findings of serious or continuing non-compliance of IRB staff and IRB members.
* Implement an auditing program to monitor compliance and improve compliance in identified problem areas.
* Investigate and remediate identified systemic problem areas, and where necessary removal of individuals from involvement in the Human Research protection program.
* Ensure that the Human Research Protection Program has sufficient resources, including IRBs appropriate for the volume and types of Human Research to be reviewed, so that reviews are accomplished in a thorough and timely manner.
* Review and sign federal assurances (FWA) and addenda.
* Fulfill educational requirements mandated by OHRP.

### All members of the Institution

All individuals within the Institution have the responsibility to:

* Be aware of the definition of Human Research.
* Consult the IRB when there is uncertainty about whether an activity is Human Research.
* Not conduct Human Research or allow Human Research to be conducted without review and approval by an IRB designated by the Institutional Official.
* Report allegations of undue influence regarding the oversight of the Human Research Protection Program or concerns about the Human Research Protection Program to the Institutional Official.
* Report allegations or finding of non-compliance with the requirements of the Human Research Protection Program to the IRB.

Individuals who are responsible for business development are prohibited from carrying out day-to-day operations of the review process.

### IRBs

The list of IRBs designated by the Institutional Official to be the IRBs relied upon by the Human Research Protection Program is available from the IRB Office.

This Institution generally relies on IRBs of another institution or organization when the research is considered greater than minimal risk. This Institution may rely upon IRBs of another institution or organization in other situations, provided one of the following is true:

* Sponsor or funding agency request or requirement;
* Study is part of an existing network, consortium, or agency which encourages or mandates single IRB review;
* Proposed external IRB has already reviewed the study or a similar study;
* IRB expertise concerns;
* Efficiency considerations;
* Feedback or request from Institutional Official, IRB Staff, IRB, etc.; or
* Conflict of interest concerns.

External IRBs are deemed qualified if they are AAHRPP-accredited.

Reliance on an external IRB requires an Authorization Agreement, as well as a local review for compliance with local policies of the Institution. When Human Research carried out at this Institution or by its agents is reviewed by an IRB at another institution or organization, this HRPP will follow established policies and procedures that specify which studies are eligible for reliance, how reliance is determined, and will provide information to researchers about reliance criteria and the process for seeking IRB reliance.

The IRBs relied upon by this Institution have the authority to:

* Approve, require modifications to secure approval, and disapprove all Human Research overseen and conducted by the Institution. All Human Research must be approved by one of the IRBs designated by the Institutional Official. Officials of this Institution may not approve Human Research that has not been approved by one of the Institution’s IRBs.
* Suspend or terminate approval of Human Research not being conducted in accordance with an IRBs’ requirements or that has been associated with unexpected serious harm to subjects.
* Observe, or have a third party observe, the consent process and the conduct of the Human Research.
* Determine whether an activity is Human Research.
* Evaluate financial interests of investigators and research staff and have the final authority to decide whether the financial interest and management plan, if any, allow the Human Research to be approved.
* Serve as the Privacy Board, as applicable, to fulfill the requirements of the HIPAA Privacy Rule for use or disclosure of protected health information for research purposes.

This Institution will comply with the determinations of the reviewing IRB, follow reporting and conflict of interest disclosure requirements as specified in the authorization agreement, conduct monitoring, identify an appropriate contact person, ensure researchers have appropriate qualifications and provide local context information (and any updates) to the reviewing IRB.

When this Institution provides IRB review for other institutions, this HRPP will follow established policies and procedures to ensure that the composition of the IRB is appropriate to review the research and will comply with applicable laws of the relying site. This includes ensuring the IRB is appropriately constituted, members are appropriately qualified, members will not participate in the review of research in which they have a conflict of interest; and that the IRB separates business functions from ethical review.

The IRB will review the research in accordance with established policies and procedures to determine that research is ethically justifiable, according to all applicable laws, including initial review, continuing review, review of modifications to previously approved research and unanticipated problems involving risks to subjects or others. The IRB will also have the ability to suspend or terminate IRB approval; as well as have the final authority to decide whether researcher or research staff conflict of interest and its management, if any, allows the research to be approved and request audits of research reviewed.

The IRB will notify the researcher (and organization) of its decisions, make relevant IRB policies and records available to the relying institution or organization and specify an IRB contact for communication.

IRB member and IRB staff have the responsibility to follow Human Research Protection Program policies and procedures that apply to IRB members and staff.

### Investigators and Research Staff

Investigators and research staff have the responsibility to:

* Follow the Human Research Protection Program requirements described in the INVESTIGATOR MANUAL (HRP-103).
* Comply with all determinations and additional requirements of the IRB, the IRB chair, and the Institutional Official.

### Legal Counsel

Legal Counsel has the responsibility to:

* Provide advice upon request to the Institutional Official, IRB, and other individuals involved with the Human Research Protection Program.
* Determine whether someone is acting as an agent of the Institution.
* Determine who meets the definition of “legally authorized representative” and “children” when Human Research is conducted in jurisdictions not covered by policies and procedures.
* Resolve conflicts among applicable laws.

### Department Chairs

Department Chairs have the responsibility to:

* Oversee the review and conduct of Human Research in their department or school.
* Forward complaints and allegations regarding the Human Research Protection Program to the Institutional Official.
* Ensure that each Human Research study conducted in their department or school has adequate resources.

### Parkview Research Center

The Parkview Research Center has the responsibility to review contracts and funding agreements for compliance with Human Research Protection Program policies and procedures.

## Education and Training

IRB members, IRB staff, and others involved in the review of Human Research, including the Institutional Official, must complete initial and continuing training.

Investigators and research staff must complete the initial and continuing training described in the INVESTIGATOR MANUAL (HRP-103).

## Questions and Additional Information for the IRB

The IRB Office wants your questions, information, and feedback.

Contact and location information for the IRB Office is:

IRB Coordinator

3614 New Vision Drive

Fort Wayne, IN. 46845

Email: irb@parkview.com

(260) 266-8194

## Reporting and Management of Concerns

Questions, concerns, complaints, allegations of undue influence, allegations or findings of non-compliance, or input regarding the Human Research Protection Program may be reported orally or in writing. Employees are permitted to report concerns on an anonymous basis. Concerns may be reported to the IRB Chair, IRB Office, Institutional Official, or Legal Counsel.

The IRB has the responsibility to investigate allegations and findings of non-compliance and take corrective actions as needed. The Institutional Official has the responsibility to investigate all other reports and take corrective actions as needed.

Employees who report in good faith possible compliance issues should not be subjected to retaliation or harassment as a result of the reporting. Concerns about possible retaliation should be immediately reported to the Institutional Official or designee.

To make such reports, contact the Institutional Official:

David Storey

Senior Vice President and General Counsel

Parkview Health Systems, Inc.

10501 Corporate Drive

Fort Wayne, IN 46845

Email: david.storey@parkview.com

(260) 266-9330

## Monitoring and Auditing

In order to monitor and ensure compliance, internal or external auditors who have expertise in federal and state statutes, regulations and institutional requirements will conduct periodic audits. Audits will focus on areas of concern that have been identified by any entity, i.e., federal, state or institutional. Random audits may also be conducted.

## Disciplinary Actions

The Institutional Official may place limitations or conditions on an investigator’s or research staff’s privilege to conduct Human Research whenever in the opinion of the Institutional Official such actions are required to maintain the Human Research Protection Program.

## Approval and Revisions to the Plan

This Human Research Protection Program Plan is to be approved by the Institutional Official. This plan is intended to be flexible and readily adaptable to changes in regulatory requirements. The Institutional Official has the responsibility to review this plan to assess whether it is providing the desired results.

Approved:

*David Storey*

Senior Vice President and General Counsel

1. <http://www.hhs.gov/ohrp/policy/engage08.html> [↑](#footnote-ref-1)
2. For research conducted within the Bureau of Prisons: Implementation of Bureau programmatic or operational initiatives made through pilot projects is not considered to be research. [↑](#footnote-ref-2)