

Title:	Single IRB Review
Department:	Human Research Office
Policy Type:	Mass General Brigham System-wide
Applies to:	Employees, Professional Staff or Other Agents of Mass General Brigham
Approved by:	Chief Academic Officer
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Contact Person:	Director, Human Research Office

KEYWORDS:

IRB, Reviewing IRB, Relying Institution, Reliance Agreement

PURPOSE:

The purpose of this policy is to describe the Mass General Brigham IRB's policies and processes related to single IRB review.

POLICY STATEMENT:

Mass General Brigham acknowledges that each institution that is engaged in multi-institutional collaborative research is responsible for safeguarding the rights and welfare of human subjects and for complying with applicable federal and other regulations. With respect to such collaborative research, Mass General Brigham institutions may enter into reliance agreements, under which Mass General Brigham institutions or Mass General Brigham-affiliated research personnel use the services of and rely on an external IRB for review and oversight. Alternatively, the Mass General Brigham IRB may agree to provide IRB review and oversight for external, non-Mass General Brigham sites and non-Mass General Brigham affiliated personnel.

PROCEDURES:**Reliance on an External IRB for Mass General Brigham Research**

Mass General Brigham institutions may rely on another IRB (e.g. an independent IRB or another academic IRB) for research conducted at Mass General Brigham institutions. The Mass General Brigham Vice President, Human Research Affairs (VP HRA) or designee(s) is responsible for making determinations regarding whether relying on an external IRB is appropriate, given the nature of the research, applicable regulations, funding agency and other

factors.

The decision to rely is based on a number of factors, including but not limited to:

- Whether the use of a single IRB has been mandated by the study sponsor or funding agency;
- The number of proposed sites and/or studies involved in the collaboration;
- The anticipated level of risk associated with the proposed study;
- Whether the reviewing IRB's policies and procedures meet Mass General Brigham HRPP standards. If the reviewing IRB is part of an AAHRPP-accredited HRPP, then it will be presumed that the Mass General Brigham HRPP's standards are being met. However, AAHRPP accreditation in and of itself does not necessarily suffice as a basis for reliance;
- The location in which the majority of study procedures will take place;
- The Principal Investigator's standing with Mass General Brigham and their role in the overall research;
- The ability of the reviewing IRB to be sufficiently informed about local context issues, including local laws and regulations; and
- The terms and conditions of the proposed IRB reliance agreement.

When reliance on a non-AAHRPP accredited IRB is proposed, the evaluation of whether to cede review may involve additional considerations based on the nature of the research and the assessed experience and regulatory knowledge of the proposed reviewing IRB. The review may include, but is not limited to, review of the proposed reviewing IRB's policies and/or procedures, rosters for identification of areas of expertise, and Mass General Brigham's prior experience with the proposed reviewing IRB.

Reliance on an external IRB requires a reliance agreement with the proposed reviewing IRB, which outlines roles and responsibilities and documents the agreement of both parties. Additionally, Mass General Brigham investigators seeking to rely on an external IRB must submit a cede application in Insight, which is administratively reviewed by the Mass General Brigham IRB to ensure compliance with Mass General Brigham institutional policies as well as Mass General Brigham IRB policies and procedures.

When a Mass General Brigham institution cedes the IRB review of research to another organization, Mass General Brigham remains responsible for the oversight of the research and remains responsible for maintaining a human research protection plan, including but not limited to:

- Safeguarding the rights and welfare of human subjects within the local context. The Mass General Brigham IRB retains the responsibility to maintain oversight for local unanticipated problems involving risks to participants or others and local non-compliance.
- Conducting audits to ensure compliance.
- Conducting conflict of interest review for Mass General Brigham investigators.
- Conducting ancillary reviews (e.g. pharmacy, radiation safety, biomedical engineering) to ensure the research is conducted in compliance with Mass General Brigham policies and procedures.
- Educating members of the Mass General Brigham research community to establish and maintain compliance of federal regulations and institutional policies relevant to human subjects research.
- Implementing appropriate oversight mechanisms to ensure compliance with the

determinations of the reviewing IRB.

IRBs relied on by an Mass General Brigham institution have the authority to:

- Approve, require modifications to secure approval, and disapprove the human subjects research overseen and conducted by the Mass General Brigham institution. All Mass General Brigham human subjects research must either be approved by the Mass General Brigham IRB or a relied-upon IRB. Mass General Brigham institutional officials may not approve human subjects research that has not been approved by the Mass General Brigham IRB or a relied upon IRB.
- Suspend or terminate approval of human subjects research not being conducted in accordance with an IRB's requirements or that has been associated with unexpected serious harm to participants.
- Observe, or have a third party observe, the consent process and the conduct of the human subjects research.
- Determine whether an activity is human subjects research.
- Require researchers and research staff disclose conflicts of interest according to the process agreed up on between Mass General Brigham and the reviewing IRB and comply with any resulting conflict of interest management plans.
- Serve as the Privacy Board, as applicable, to fulfill the requirements of the HIPAA Privacy Rule for use and disclosure of protected health information for research purposes.

Mass General Brigham institutions will comply with the determinations of the reviewing IRB, follow reporting and conflict of interest disclosure requirements as specified in the reliance agreement, conduct monitoring, identify an appropriate contact person, ensure researchers have appropriate qualifications and provide local context information and policy updates that may affect the IRB's review to the reviewing IRB.

Mass General Brigham IRB Serving as the IRB of Record

The Mass General Brigham IRB may serve as the IRB of record for multi-site research. The Mass General Brigham IRB adheres to the NIH Policy on the Use of a Single Institutional Review Board for Multi-Site Research as well as 45 CFR 46.114. As such, the Mass General Brigham IRB may serve as the reviewing IRB for domestic sites of NIH-funded multi-site studies where each site will conduct the same protocol involving non-exempt human subjects research or for domestic sites of Common Rule agency-funded cooperative research.

When the Mass General Brigham IRB provides IRB review for other institutions, the Mass General Brigham IRB 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 that the IRB is appropriately constituted, members are appropriately qualified, members will not participate in the review of research with which they have a conflict of interest, and that the IRB separates business functions from ethical review. Additionally, when the Mass General Brigham IRB is serving as the single IRB (sIRB), all reviews of the research, including initial review, continuing review and review of proposed changes to the research, are done in accordance with applicable regulations and Mass General Brigham IRB policies and procedures.

When the Mass General Brigham IRB serves as the sIRB, the overall protocol must be reviewed and approved by the Mass General Brigham IRB before any external sites can be reviewed.

External, relying sites are added to the protocol and Insight application via an amendment, and are typically reviewed via expedited procedures unless otherwise directed by the IRB during initial review, the local site identifies additional risks to subjects specific to its site, or the amendment includes other proposed major changes that require review and approval by the convened IRB. Relying site investigators are notified of Mass General Brigham IRB determinations via letters generated in Insight and transmitted to the relying site investigator by the Mass General Brigham lead study team.

Investigators may request that the Mass General Brigham IRB provide single IRB review for non-Mass General Brigham sites and/or non-Mass General Brigham affiliated personnel by submitting a request in the Insight system. The Mass General Brigham Human Research Office will evaluate all such requests and, taking into consideration the factors enumerated below, determine whether reliance is acceptable.

Whether the Mass General Brigham IRB will provide review for another institution is determined by the VP HRA (or designee(s)) based on a number of factors, including but not limited to:

- Whether a Mass General Brigham institution is the prime awardee of the funds;
- Whether single IRB review is required by the sponsor or regulation;
- The time and resources required to accept review;
- The number of proposed sites involved in the collaboration;
- The anticipated level of risk associated with the proposed study;
- The location in which the majority of study procedures will take place; and
- The Principal Investigator's standing with Mass General Brigham and their role in the overall research.

When sites are relying on the Mass General Brigham IRB, a reliance agreement is required. When individual investigators (i.e. investigators not acting as agents of an external institution) are relying on the Mass General Brigham IRB, an individual investigator agreement is required.

Mass General Brigham lead study teams are encouraged to identify an individual on their team who can serve as the sIRB liaison, facilitating communication between external sites and the Mass General Brigham IRB. Mass General Brigham lead study teams are responsible for submitting applications on behalf of sites (e.g. to obtain initial approval, amendments and continuing reviews) to the Mass General Brigham IRB and for communicating Mass General Brigham IRB determinations to sites.

Establishing Reliance Agreements

Reliance agreements established for the purposes of single IRB review are signed by Mass General Brigham Institutional Officials or their designees. Reliance agreements set forth the following basic information: the Mass General Brigham institution's FWA and the FWA of the other party to the agreement; the names of the PIs and the scope of the agreement (e.g. study(ies) that fall under the agreement). The agreement must also specify which party is relying on the other for IRB review and how the relying institution will be kept informed of the reviewing IRB's actions.

Regardless of whether a Mass General Brigham institution is ceding review to an external IRB or the Mass General Brigham IRB is agreeing to serving as the reviewing IRB, the reliance

agreement will include sufficient information to ascertain which party is responsible for the following:

- Providing education to researchers and research staff;
- Conducting scientific review;
- Reviewing potential non-compliance, including complaints, protocol deviations, and results of audits;
- Identifying which organization is responsible for deciding whether each allegation of non-compliance has a basis in fact;
- Identifying which organization's process is used to decide whether each incident of non-compliance is serious or continuing;
- Obtaining management plans for researcher and research staff conflicts of interest. If the relying organization maintains responsibility for this issue, the management plan must be provided to the IRB of record in a timely manner prior to the IRB's determination;
- Managing institutional conflicts of interest related to the research; and
- Ensuring that, should the reliance agreement be terminated, one of the parties is clearly responsible for continued oversight of active studies until closure or a mutually agreed upon transfer of the studies.

OTHER APPLICABLE MASS GENERAL BRIGHAM POLICIES:

None.

REFERENCES:

45 CFR 46

21 CFR 56

NOT-OD-16-094 Final Policy on the Use of a Single Institutional Review Board for Multi-Site Research

DEVELOPMENT AND CONSULTATION:

Human Research Office