# CARILION CLINIC INSTITUTIONAL REVIEW BOARD
# Standard Operating Guidelines

| **Title:** 3.12: Reviews Requiring Special Consideration: International Research | |
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| **Original Date:** May 2012 | **Date of Last Revision:** 8-23 |
| **Primary Sponsor:** Human Research Protections Office | **Approved By:** Director of the Human Research Protections Office |

## Objective:

To provide guidance for investigators regarding the criteria used by the Carilion Clinic IRB in the review of research that involves an international research site.

## General Description:

Research conducted by Carilion Clinic researchers at sites outside the United States must be reviewed and approved by the Carilion Clinic IRB. This review and approval is necessary for Carilion Clinic comply with Office of Human Research Protections (OHRP) directives requiring IRBs to have appropriate information to assess the local research context of research being conducted internationally. Research projects in international countries must have been approved by an IRB, research ethics committee or equivalent at the international site before they are presented to the Carilion Clinic IRB. Where there is no equivalent board or group, investigators must rely on local experts or community leaders to provide approval. The IRB requires documentation of "local approval" before it can review the project.

International research poses unique and complex ethical challenges. If this research is conducted in less-developed countries, investigators may have limited experience with U.S.- sponsored studies. Additionally, potential research subjects may be unfamiliar with concepts such as informed consent, and institutions may not have established strong human subjects protection programs. Therefore, it is important to assure that appropriate safeguards are in place when vulnerable communities or populations are involved.

## Procedure:

### Carilion Clinic IRB Review of Local Context

The Carilion Clinic IRB considers local research context when reviewing international research. To assess local context, the IRB will rely in part on the review of the international institution or site's IRB or research ethics committee to assess local research context issues and to assess whether the Principal Investigator is providing adequate protections for the rights and welfare of the participants. In addition, the IRB will require the PI of a research study performed at an international site to submit an Application to Conduct International Research in order to obtain information to help assess local research context. The application will include such information as:

- The qualifications the researcher has in relevant coursework, past experience or training to justify his or her international research capabilities.
- A description of the context of cultural norms or local laws and differences with U.S. culture with respect to research autonomy of individuals or groups, consent procedures, recruitment

techniques, age of majority, whether parental consent is required, etc. An explanation of what cultural sensitivities will be required to conduct this study.
- The researcher's ability to speak, read or write the language of the potential participants and the primary language spoken in the community. Provisions for culturally appropriate recruitment and consent, e.g. translations or involvement of native language speakers.
- Researcher knowledge or expertise of local, state or national laws that may have an impact on the research.
- Documentation of collaboration with the community.
- Information about the IRB, research ethics committee or equivalent that will review the research in the host country.
- Aspects of cultural, political or economic climate in the country where the research will be conducted which might increase the risks for participants and steps that will be taken to minimize these risks.
- A description of how the researcher will communicate with the local IRB and Carilion IRB while conducting research in the event the project requires changes or there are reportable events.
- An assessment of whether the research involves no greater than minimal risk to subjects or greater than minimal risk to subjects.

**Carilion Clinic IRB Review of International Research**

The Carilion IRB will assess whether international research studies qualify for exempt status or need expedited or full board review. In addition to the Application to Conduct International Research, the usual documents for IRB submission are required.

For research that involves **greater than minimal risk** to subjects, review and approval also shall include:

- If the protocol is approved by an IRB designated under an international Federal Wide Assurance (FWA) in the country where the research will be done, then no other review is needed other than that of the Carilion Clinic IRB. The Carilion Clinic IRB will require a copy of the international IRB approval, a copy of the protocol that was approved and a copy of the approved consent document(s).
- For research that is not reviewed under an international FWA, the Carilion Clinic IRB may demonstrate that it has obtained the necessary information about the local research context through written materials that supplement the Application to Conduct Clinical Research **and** through one or more of the following at the discretion of the IRB: 1) personal knowledge of the local research context on the part of one or more of the IRB members, 2) discussions with appropriate consultants, or 3) review of the study by a local ethics committee or tribal council.

**Written Materials** may include peer-reviewed research publications that provide relevant information about the local research context that would assist the IRB in making a determination of local research context issues. Written materials alone are not sufficient for a greater than minimal risk study but may be submitted as supporting information.

**Personal Knowledge** of the local research context by an IRB member means such knowledge has been obtained through extended, direct experience with the subject population and their environment.

**Appropriate Consultant** refers to individuals with personal knowledge of the study site where such knowledge has been obtained through extended, direct experience with the subject population and their environment. The IRB must determine that these consultants can provide an informed and

independent review. The names and contact information of possible consultants should be suggested by the submitting principal investigator. The consultants should have no affiliation with the proposed research project. It is not acceptable for the consultant to be 1) a friend of the investigator(s) 2) a collaborator on protocols or grants of the investigator(s) 3) anyone who has personal/professional ties with the investigator(s) the precludes that person from speaking independently and objectively about the research project 4) anyone who in the opinion of the IRB is not qualified to conduct the review. The Carilion IRB will provide the consultant with the study protocol, consent documents and other written material as appropriate. The consultant will be asked to verify that, in his or her judgment, under the study design and for the social/political/cultural conditions of the study site that: 1) selection of subjects is equitable 2) privacy of subjects is protected and confidentiality of data is maintained 3) informed consent is sought in a language understandable to the subjects and under conditions that minimize the possibility of coercion or undue influence and 4) appropriate safeguards protect the rights and welfare of vulnerable subjects.

**A Local Ethics Committee or Tribal Council** may be provided by the investigator to the IRB within the country for the study site in question. The protocol can be reviewed by the committee/council and the information provided will be used to assist the IRB in its review.

For research that involves **no greater than minimal risk** to subjects, written materials alone may suffice for Carilion IRB review and approval unless the IRB determines additional information is necessary. Written materials may include peer-reviewed research publications that provide relevant information about the local research context or investigators' previously published peer-reviewed papers or dissertations that provide relevant information about the local research context. The protocol and research applications alone may not be the sole source of evaluation of the study by the IRB. Protocol approval by an international IRB (or equivalent) may be appropriate for a particular study when formal collaboration with an international institution is involved. Such approval precludes the need for investigators to provide written materials. The Carilion IRB has the discretion to ask for a review of a minimal risk study by a consultant as described above.

## Consent Requirements for International Research

Written consent is presumed to be required for international research. Requests for waiver of documentation of consent, or for use of an oral consent process, will be considered if the protocol with the waiver has received approval from the local IRB or equivalent. The Carilion Clinic IRB requires consent forms (or oral consent scripts) to be written at a level that will be understandable to the subject population. Submission to the IRB of copies of consent documents in the local language(s) is required. Additionally, in the Application to Conduct International Research, the investigator must describe who will obtain informed consent at the international site(s) and explain the qualifications of those persons.

## HIPAA Considerations in International Research

Once individually identifiable health information is received by Carilion Clinic (a covered entity), that information becomes protected health information (PHI). This means that when a researcher sends individually identifiable health information collected internationally across a Carilion network or stores such information on a Carilion computer or server, the information becomes PHI. Because HIPAA concepts can be difficult to translate in international studies, researchers may request a "Waiver or Alteration of HIPAA Authorization" in order to ask the IRB to approve altered language or a simplified form of the required authorization language. Researchers can also ask for a waiver to use an oral authorization process. Another option, where cultural barriers are significant, is for the IRB to waive the requirement of HIPAA Authorization entirely. To grant any of these requests, the IRB must determine

that the request meets all of the waiver criteria in the HIPAA Privacy Rule. An investigator can avoid HIPAA considerations altogether by not bringing PHI to Carilion and instead bringing only coded de-identified health information, or by bringing only a limited data set with an established data use agreement in place.

The IRB has developed template language that can be proposed by an investigator who has received approval for altered or simplified HIPAA authorization. This language can either be incorporated in the informed consent document or used in a stand-alone form.

## References


- Rutgers Institutional Review Board for Protection of Human Subjects: Evaluation of the Local Research Context for International Studies
- Duke University Health System Human Research Protection Program: International Research
- University of Minnesota Institutional Review Board: IRB Review of International Research
- University Hospitals Case Medical Center IRB Policies and Procedures: International Research
- University of Virginia Institutional Review Board for Health Sciences Research: International Research Consent Form
- Johns Hopkins Medicine Office of Human Subjects Research: HIPPA Authorization Form for International Research