

<b>P&amp;P: RR 404</b> <b>Version No: 1.6</b> <b>Effective Date: 5/1/2022</b>	<b>AMENDMENT REVIEW</b>	<b>Supersedes: CPHS</b> <b>Policies and Procedures</b> <b>2/3/2014</b>
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## 1. POLICY

Amendments (changes/modifications) to approved research must be submitted for IRB review and approval before they can be implemented. One exception to the requirement for prior IRB review and approval is in an instance when the changes are “necessary to eliminate apparent immediate hazards to the subject” (45 CFR 46.108(a)(3), 21 CFR 56.108(a)). In such cases, the actions taken should be promptly reported to the IRB per RR410 – Protocol Deviations and Noncompliances, and approval should be sought for permanent changes to prevent the hazards in the future.

### Specific Policies

#### 1.1 Definition and Examples

*Amendment* means any change/modification made to an approved protocol (exempt or non-exempt). Amendments may include, *but are not limited to*, procedural changes, adding or removing key personnel, requesting additional subjects beyond the original approved number, new funding sources, new or revised advertisements, changes to the informed consent documents, changes to surveys or questionnaires, changes in design based on new literature, addition of a research site, or any other changes in research activity.

#### 1.2 Submission Requirements for Amendment Requests

Investigators must submit requests for changes to the IRB in writing. These requests must include the following:

- A description of and justification for the changes.
- A revised consent document (non-exempt only, if applicable).
- Revised instruments or other documentation affected by the amendment (e.g., study instruments, protocol, etc.).
- A new disclosure of financial conflict of interest (if applicable).
- Any other relevant documentation required by the IRB.

#### 1.3 Mode of Review

The OPHS staff will determine the mode of review required in consultation with IRB Chair/Designee and/or OPHS Director when appropriate.

- Minor changes in previously approved research may be reviewed by expedited or exempt procedures. Minor changes are defined as changes that, if considered independently from the overall research, involve no significant alteration in research design or fall into one or more categories allowing exempt or expedited review, and involve no more than minimal risk to participants.
- Changes in previously approved research that are not “minor” must be reviewed by the full committee (convened IRB), such as changes which:
  - a. Present greater than minimal risk to participants;

- b. Are not eligible for expedited review based on the Office for Human Research Protections [categories of research](#) (minimal risk research that fits into one or more of seven categories); or
- c. Significantly alter the study design when the research itself is greater than minimal risk (refer to [Amendment Guidelines](#) for additional information).

#### **1.4 Minimal Criteria for Approval of Amendment**

The same criteria used to grant initial approval (see RR 401 – [Initial Review](#) and FO 302 – [Determination of Exemption](#)) are used when considering whether to approve an amendment to a study protocol.

## **2. SCOPE**

These policies and procedures apply to all research submitted to CPHS/OPHS.

## **3. RESPONSIBILITY**

OPHS staff, in consultation with the IRB Chair/Designee when appropriate, are responsible for the initial assessment of level of risk associated with the proposed amendment. However, the final determination of level of risk must be made by the convened IRB or, if the application is reviewed by expedited procedures, by the Chair/Designee.

The IRB Chair/Designee is responsible for performing expedited review of amendment requests that involve no more than minimal risk.

OPHS staff are responsible for reviewing and making a determination regarding research applications that claim exemption from 45 CFR 46 under federal categories 1-6 or UCB's Category 70 Exempt Research. As the OPHS Director's designated alternates, OPHS staff are also responsible for reviewing and determining requests for limited IRB review under exempt categories 2iii and 3iii.

OPHS staff are responsible for facilitating the review process and conducting a preliminary review for all amendment requests.

## **4. PROCESS OVERVIEW**

### **Amendment Review – Exempt**

The investigator submits an amendment request for a protocol that has been determined exempt. An OPHS staff member reviews the application and evaluates the amendment request for (1) level of risk; (2) category of activity; and (3) other relevant considerations.

If the proposed modification still qualifies as exempt research, the staff member provides the investigator with a letter confirming exempt status. If the modified research does not qualify for exemption, the staff member contacts the investigator to request a new, non-exempt application for expedited or full committee review.

### **Amendment Review - Expedited**

When an amendment request that qualifies for expedited review is submitted, an OPHS staff member will coordinate the review process and perform a preliminary review of the submission. If additional documentation or information is necessary, the staff member initiates correspondence to the investigator. When the investigator responds, a staff member verifies that all items have been addressed and the application is complete. The application and response are then routed to the IRB Chair/Designee who will review the research. If any concerns are identified, the Chair/Designee will return the application along with comments to the staff member who will communicate these comments to the investigator. If there are no concerns, or when the concerns have been addressed, the IRB Chair/Designee will grant approval.

After the amendment application is approved, a protocol approval letter is provided to the investigator. If the amendment involved changes to consent materials, all approved informed consent, parent permission, and assent documents (English and foreign language) will be made available to the investigator. Any foreign language translations of approved consent documents must be submitted, either with initial application materials, as responsive materials to a conditional approval by the IRB, or as an amendment after initial approval of the research and English consent documents.

If there are any issues or concerns that cannot be resolved during the expedited review process, the application must go to the full committee for review. The IRB Chair/Designee cannot disapprove an amendment to the research by expedited procedures.

### **Amendment Review – Full Committee**

When an amendment request that requires review by the convened IRB is submitted, it is generally added to the agenda of the next meeting of the appropriate committee. A staff member will conduct a preliminary review and prepare a written evaluation of the amendment identifying administrative and regulatory issues. Staff then forward the application and the evaluation to all IRB members per FO 303 – IRB Meeting Administration.

At the IRB meeting, the primary and secondary reviewers provide a summary review and recommendation. Other members may ask questions and engage in discussion regarding the protocol. The IRB may approve the amendment request, disapprove the application, require minor revisions (conditional approval), or defer consideration to another convened meeting (see RR 407 – Categories of Action). The investigator is notified of the review outcome in writing. If minor revisions or clarifications are required, the IRB will designate an individual with appropriate expertise to review the investigator's response in order to verify that the conditions for approval have been satisfied. However, if the concerns/revisions are substantive, the investigator will be required to submit responsive materials for full committee review.

After the amendment application is approved, a protocol approval letter is provided to the investigator. If the amendment involved changes to consent materials, all approved informed consent, parent permission, and assent documents (English and foreign language) will be made available to the investigator along with the amendment approval letter. Any foreign language translations of approved consent documents must be submitted, either with initial

application materials, as responsive materials to a conditional approval by the IRB, or as an amendment after initial approval of the research and English consent documents.

## **5. APPLICABLE REGULATIONS AND GUIDELINES**

45 CFR 46.103

21 CFR 56.103

45 CFR 46.109

21 CFR 56.109

45 CFR 46.110

21 CFR 56.110

45 CFR 46.111

21 CFR 56.111

45 CFR 46 Subparts B, C & D

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