

Food and Drug Administration guidance outlines the responsibilities of investigators conducting clinical trials of drugs or biological products (governed by federal regulations at 21 CFR 312) or of medical devices (governed by regulations at 21 CFR 812). Although specific responsibilities in drug and biologics clinical trials are not identical to those in medical device trials, investigators' general responsibilities are essentially the same.

Investigator responsibilities delineated in the FDA guidance include

- supervising a clinical trial in which some tasks are delegated to the investigator's employees, colleagues, or other third parties
- ensuring that the trial is conducted according to the signed investigator statement for clinical investigations of drugs and biological products—called a Form FDA-1572—or agreement for clinical investigations of medical devices, as well as the investigational plan and all applicable regulations
- protecting the rights, safety, and welfare of subjects
- and controlling drugs, biological products, and devices under investigation

Investigators conducting drugs and biologics clinical trials commit themselves to personally conduct or supervise the trial. Investigators conducting medical devices trials commit themselves to supervise all testing of the device that involves human subjects. It's common for investigators to delegate some study tasks to employees or colleagues or to other third parties not under the investigator's direct supervision. The investigator is responsible for supervising individuals to whom tasks are delegated. FDA's assessment of supervision by an investigator focuses on four major areas:

- whether individuals to whom tasks are delegated are qualified to perform their tasks
- whether the individuals have received adequate training and an understanding of the clinical trial
- whether the investigator adequately supervises, and is sufficiently involved in, ongoing conduct of the trial
- and whether third parties involved in conduct of the trial receive, to the extent possible, adequate supervision or oversight

An investigator's responsibility for protecting the rights, safety, and welfare of study subjects involves

- providing appropriate medical care for study subjects for medical problems that arise during participation in the trial, when those problems are or could be related to the study intervention
- providing appropriate *access* to medical care
- and adhering to the protocol so that subjects are not exposed to unreasonable risks

U-MIC TRANSCRIPT

FDA Guidance: Investigator Responsibilities

To ensure appropriate medical care for problems that subjects experience during the trial, the investigator should either directly administer care to a subject for any adverse events related to trial participation or, if the investigator lacks the expertise necessary to address the event, make sure the subject receives care from another qualified practitioner.

The responsibility to provide medical care to subjects means that the investigator should be available to subjects throughout the conduct of the trial. This is especially important with investigational drugs that have significant toxicity or abuse potential. For example, if a study drug has potentially fatal toxicity, the investigator (or a designee with appropriate knowledge of the trial) should be available by phone or other electronic means 24 hours a day and should remain in reasonably close proximity to subjects, in order to provide needed care or to arrange for another practitioner to provide care.

There are occasions when a failure to comply with the protocol may be considered a failure to protect the rights, safety, and welfare of subjects, because the noncompliance exposes subjects to unreasonable risks. Investigators should try to minimize unreasonable risks by adhering closely to their study protocol.

IRB members may verify that an investigator is prepared to meet the responsibilities outlined in the FDA guidance by reviewing the information within the eResearch application. eResearch sections 1 (General Information, which includes a list of study team members with links to their CVs), 5 (research design), 11 (Confidentiality/Security/Privacy), 15 (drugs, biologics, etc.), 16 (Devices), and 32 (Data and Safety Monitoring Plan) should all contain information that will help IRB members determine whether an investigator is adequately conducting and supervising the trial and protecting subjects' rights, safety, and welfare. The trial's informed consent document should also include information about an investigator's plans for addressing subject injury and adverse events.

Contact the IRB for more information about investigator responsibilities in drug, biologic, and medical device trials.

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