From: Toth-Allen, Jean
Sent: Friday, March 10, 2006 2:02 PM
To: [purged]
Subject: RE: Questions.

Dear [purged]:

I have cut and pasted the additional questions you sent in a follow-up e-mail below so that they are all in one place for your convenience and mine.

With regard to Data Safety Monitoring Boards (DSMB) or Data Monitoring Committees (DMC), it is customarily the study sponsor who sets up such a committee to oversee safety issues across the study, not just at a given site. In an investigator-initiated study, the investigator assumes the responsibilities of both the sponsor and the investigator, so would be the one to set up a DMC if that seemed necessary. I do not see that there are any issues should the institution in which the study was to take place choose to set up such a committee however. FDA has available a draft guidance regarding DMCs which can be accessed at http://www.fda.gov/cber/gdlns/clintrialdmc.htm. While is still only in draft, it does show you FDA's present thinking in this regard. I am not sure, however, if it will answer your specific question more fully or not.

Cancer patients who are recruited to be subjects in clinical trails are commonly considered a vulnerable population, particularly since their recruitment implies that there is presently no satisfactory treatment for their type and/or stage of cancer. It is the reviewing IRB's job to take such considerations into account when reviewing both the study protocol and the accompanying informed consent document for adequacy and appropriateness.

IRBs are also the appropriate bodies to determine whether or not proposed compensation to study subjects can be considered coercive or not. Traditionally, compensation that is merely reimbursement for travel and expenses has been considered acceptable, but that decision is the purview of the reviewing IRB.

Receiving an honorarium to present study information on behalf of the sponsor is not considered much differently from the payments sponsors pay clinical investigators to participate in a clinical study. The fact needs to be included in an investigator's financial disclosure statement to the sponsor, either at the start of the study or as part of a yearly update. Sponsors are required to submit this information for all clinical investigators participating in a study at the time of a marketing application or submission to FDA. FDA would only

consider such information as a potential conflict of interest if data from your site were markedly different from that of other study sites, and then only if there is no other feasible explanation for the differences.

Whether or not you accept an honorarium, if you agree to participate in a presentation on behalf of the study sponsor (it is not clear if an invitation from Pharma would imply this), you should contact your reviewing IRB to see if they would want you to change your informed consent document to include this information, as it implies a special relationship with the sponsor. While many IRBs and consumer advocacy groups may consider inclusion of this information essential, it is not required by FDA regulation.

Hope this information is useful.

If you need further information and/or have additional questions, please submit them once again to the official GCP mailbox, gcpquestions@oc.fda.gov, in lieu of responding to my personal e-mail address.

Sincerely yours,
Jean Toth-Allen, Ph.D.
Good Clinical Practices Program
OSHC, Office of the Commissioner, US FDA

This communication does not constitute a written advisory opinion under 21 CFR 10.85, but rather is an informal communication under 21 CFR 10.85(k) which represents the best judgment of the employee providing it. This information does not necessarily represent the formal position of FDA, and does not bind or otherwise obligate or commit the agency to the views expressed.

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Sorry, one other question. Conflicts of interest. If I am PI on a study, Pharma decides to have an advisory meeting to review data and next steps with leaders in the field, of which an honorarium is given ;Is this a conflict of interest ? Must I change informed consent stating that I am a paid consultant? Not accept honorarium or give to research institute? Dr Amato

From: [purged]

Sent: Thursday, March 09, 2006 9:16 PM
To: Toth-Allen, Jean
Cc: OC GCP Questions
Subject: Questions.

Couple of questions I need your guidance. 1) Is the PI responsible for organizing a DSMB if he/she is running investigator-initiated trials or is this responsibility of the institution where the research is being conducted? 2. Regarding recruitment and enrollment of patients for research studies, are cancer patients considered members of a vulnerable population due to the advanced state of their illness? Finally, On reimbursement of patients for research studies, if involved in coming to center to receive an agent , is it not okay to reimburse for travel, hotel or is this considered an incentive for research enrollment? I hope you can get this to me by Friday. Thank you very much .[purged]